



भारत का राजपत्र

The Gazette of India

प्रधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 23]

No. 23]

नई दिल्ली, शनिवार, जून 7, 1986/ज्येष्ठ 17, 1908

[NEW DELHI, SATURDAY, JUNE 7, 1986/JYAISTHA 17, 1908

इस भाग में भिन्न पृष्ठ संख्या वाली बहसी है जिससे कि यह अलग संकलन के रूप में
रखा जा सके।

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—संख्या 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांघिक आवेदन और अधिसूचनाएँ
statutory orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

गृह भवालय

(प्रातिरक्षा मुख्यमंत्री
(पुनर्वास प्रभाग)

नई दिल्ली, 27 मई, 1986

का. आ. 2165.—निष्पापित व्यक्ति (प्रतिकर तथा पुनर्वास) प्रधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा पुनर्वास प्रभाग गृह मंत्रालय, के संयुक्त सचिव, श्री एस. के. बसु को 19-5-86 से उक्त प्रधिनियम के द्वारा अवश्य उसके अधीन मुख्य बन्दोबस्तु आयुक्त को मौंपे गये कार्यों के निष्पादन हेतु मुख्य बन्दोबस्तु आयुक्त नियुक्त करती है।

2. इसके द्वारा दिनांक 23 नवम्बर, 1984 की अधिसूचना संख्या- (23)/वि.सेल/84-एस.एस. II (प) का अतिक्रमण किया जाता है।

[संख्या-1 (7)/वि.सेल/86-एस.एस. 11(प)]

MINISTRY OF HOME AFFAIRS
(Department of Internal Security)
(Rehabilitation Division)

New Delhi, the 27th May, 1986

S.O. 2165.—In exercise of the powers conferred by subsection (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S. K. Basu, Joint

Secretary in the Ministry of Home Affairs (Rehabilitation Division) as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Chief Settlement Commissioner by or under the said Act with effect from 19th May, 1986.

2. This supersedes Notification No. 1(23)/Spl. Cell/84 SS. II. (A), dated the 23rd November, 1984.

[No. 1(7)/Spl. Cell/86-SS. II. (A)]

का. आ. 2166.—निष्पापित संपत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार गृह मंत्रालय (पुनर्वास प्रभाग) में संयुक्त सचिव, श्री एस. के. बसु को 19-5-86 से उक्त प्रधिनियम के द्वारा अवश्य उसके अधीन मुख्य बन्दोबस्तु महामिराजक को मौंपे गये कार्यों के निष्पादन हेतु महामिराजक, निष्पापित संपत्ति नियुक्त करती है।

2. इसके द्वारा दिनांक 23 नवम्बर, 1984 की अधिसूचना संख्या-1 (23)/वि.सेल/84-एस.एस. II (पी) का अतिक्रमण किया जाता है।

[संख्या-1 (7)/वि.सेल/86-एस.एस. II (पी)]

मुख्यमंत्र असलम, अवर सचिव

S.O. 2166.—In exercise of the powers conferred by section 3 of the Administration of Evacuee Property Act, 1950, (31 of 1950), the Central Government hereby appoints Shri S. K. Basu, Joint Secretary in the Ministry of Home Affairs (Rehabilitation Division) as the Custodian General of Evacuee Property for the purpose of performing functions assigned to such Custodian General by or under the said Act with effect from 19th May, 1986.

2. This supersedes Notification No. 1(23) [Spl. Cell] 84-SS. II (B), dated the 23rd November, 1984.

[No. 1(7) [Spl. Cell] 86-SS. II(B)]
M. ASLAM, Under Secy.

वित्त मंत्रालय
(राजस्व विभाग)

नई दिल्ली, 11 मार्च, 1986

प्राप्ति-कर

का. आ. 2167.—गर्वमानाधारण की जांकारी के लिए एतद्वारा प्रधिसूचित किया जाता है कि प्राप्तकर प्रधिनियम, 1961 की धारा 35 (1)(ii) के अंतर्गत वित्त मंत्रालय (राजस्व और ग्रामा विभाग) की विनाक 23-2-1974 की अधिसूचना सं. 567 (फा. सं. 203/6/74-आ.क.नि.-II) द्वारा दि. इंटर्डिट्युट ऑफ हिस्टोरी प्रॉफ मेडिगिन एंड मेडिकल रिसर्च, नई दिल्ली को दिये गये स्थानीय अनुमोदन के स्थान पर एतद्वारा “संस्था” प्रवर्ग में 31-12-1986 तक वैध सीमित अनुमोदन प्रदान किया जाता है।

[सं. 6617/फा. सं. 203/49/86-आ.क.नि-II]
गिरीश दत्त, अबर सचिव

MINISTRY OF FINANCE
(Department of Revenue)

New Delhi, the 11th March, 1986

INCOME-TAX

S.O. 2167.—It is hereby notified for general information that perpetual approval granted under section 35(1)(ii) of the Income-tax Act, 1961, to the Institute of History of Medicine and Medical Research, New Delhi, vide Ministry of Finance (Department of Revenue and Insurance) Notification No. 567 (F. No. 203/6/74-ITA. II) dated 23-2-1974 is hereby superseded by limited approval valid upto 31-12-1986 in the category of “Institution.”

[No. 6617/F. No. 203/49/86-ITA. II]
GIRISH DAVE, Under Secy.

नई दिल्ली, 9 अप्रैल, 1986

प्राप्ति-कर

का. आ. 2168.—प्राप्तकर प्रधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23C) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा उक्त धारा के प्रयोजनार्थ, “ए ओर्थोडोक्स सीरियन चर्च, कोट्यायम्” को कर्तिवारण वर्ष 1985-86 से 1987-88 के अंतर्गत आठ वार्षीय प्रबंधि के लिए प्रधिसूचित करती है।

[सं. 6655/फा. सं. 197/158/85-आ.क.नि.-I]
आर. के. तिवारी, अबर सचिव

New Delhi, the 9th April, 1986

INCOME-TAX

S.O. 2168.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The Orthodox Syrian Church, Kottayam” for the purpose of the said section for the period covered by the assessment years 1985-86 to 1987-88.

[No. 6655/F. No. 197/158/85-IT(A)]
R. K. TEWARI, Under Secy.

नई दिल्ली, 23 मई, 1986

प्राप्ति-कर

स्टाम्प

का. आ. 2169.—भारतीय स्टाम्प प्रधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) के द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा उप सूल्क की माफ करती है जो हरियाणा वित्तीय नियम, चंडीगढ़ द्वारा केवल दो करोड़ पचास हालांकां रुपये सूल्क के प्रामिसरी नोट (23वीं श्रेणी) के रूप में जारी किए जाने वाले बंधवालां पर उक्त प्रधिनियम के प्रांतीय प्रभाव हैं।

[सं. 18/86-स्टाम्प-का. सं. 33/23/86-वि.क]

ओ. ब्राह्म. मेहमी, अबर सचिव

New Delhi, the 22nd May, 1986

ORDER

STAMPS

S.O. 2169.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of Promissory Note (23rd series) of the value of two crores and seventy five lakhs rupees only to be issued by the Haryana Financial Corporation, Chandigarh are chargeable under the said Act.

[No. 18/86-Stamps—F. No. 33/23/86-ST]
B. R. MEHMI, Under Secy.

केन्द्रीय प्रत्यक्ष कर खोड़

नई दिल्ली, 23 जनवरी, 1986

प्राप्तकर

का. आ. 2170.—प्राप्तकर प्रधिनियम, 1961 (1961 का 43) की धारा 122 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और इस संबंध में सभी पूर्ववर्ती प्रधिसूचनाओं का प्रधिलंबन करते हुए, केन्द्रीय प्रत्यक्ष कर, खोड़ अब नियम देता है कि प्राप्तीनीय भूम्यक प्राप्तकर प्रायकर भायुक्त, नागपुर, प्राप्तकर प्रायुक्त, नागपुर के शेक्षाधिकार के अंतर्गत आने वाले सहायक सम्पदा-भूल्क नियमक, नागपुर तथा घटोला सहित सभी धायकर परिमंडलों, जहाँ सप्ता जिलों में प्राप्तकर से निर्धारित सभी शक्तियों और धाय पर लेक्षाधिकार रखेंगे।

यह प्रधिसूचना 14-10-1985 से लागू होगी।

[सं. 6581 (फा. सं. 261/22/85-आ. क. न्या.)]
सुरेन्द्र पाल, अबर सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 23rd January, 1985

INCOME-TAX

S.O. 2170.—In exercise of the powers conferred by Section 122 of the Income-tax Act, 1961 (43 of 1961) and in Supersession of all previous Notifications in this regard, the Central Board of Direct Taxes now directs that the Appellate Assistant Commissioner of Income-tax, Nagpur shall have jurisdiction over all persons and incomes assessed to Income-tax in all the Income-tax Circles, Wards, Districts including Assistant Controllers of Estate Duty, Nagpur and Akola falling under the jurisdiction of the Commissioner of Income-tax, Nagpur.

This Notification shall take effect from 14-10-85.

[No. 6581 (F. No. 261/22/85-ITJ)]
SURENDER PAL, Under Secy.

नई दिल्ली, 25 फरवरी, 1986

(प्राप्तकर)

का. आ. 2171.—प्राप्तकर प्रधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए इस संबंध में सभी पूर्ववर्ती प्रधिसूचनाओं का प्रधिलंबन करने

द्वारा, केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा, निर्देश देता है कि नीचे दी गये अनुसूची के स्तम्भ (1) में विनियोगित रेंजों का प्राप्तीय सहायक प्राप्तीय कर आयुक्त, आयकर से निर्धारित उन सभी व्यक्तियों और आय को छोड़कर, जिन पर क्षेत्रधिकार आयकर आयुक्त (प्रवीन) में विदित है, उक्त अनुसूची के स्तम्भ (2) के तत्पंचांशी प्रविधित में विनियोगित आयकर परिमंडलों, वार्डों और जिलों में, आयकर से निर्धारित सभी व्यक्तियों और आय के संबंध में अपने कार्य करेगा।

अनुसूची

रेंज	आयकर परिमंडल/वार्ड/जिले
1. अम्बाला रेंज	सभी आयकर परिमंडल, वार्ड तथा जिले जिनके मूल्यालय निम्नलिखित में विषय हैं :— 1. अम्बाला 2. यमुनानगर 3. करनाल 4. कुरुक्षेत्र 5. पानीपत 6. सोनीपत 7. जीद 8. कैथल 9. बेनत व कंपनी परिमंडल, चंडीगढ़ 10. सिरसा।
2. रोहतक रेंज	सभी आयकर परिमंडल/वार्ड/जिले जिनके मूल्यालय निम्नलिखित में विषय हैं :— 1. रोहतक 2. गुडगांव 3. फरीदाबाद 4. रिवाड़ी 5. हिलार 6. खिवानी 7. नारनील

जहाँ कोई आयकर परिमंडल, वार्ड, जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अन्तरित कर दिया गया हो, वहाँ उस आयकर परिमंडल, वार्ड, जिला अथवा उसके किसी भाग में किए गए निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्ण, रेंज के उस प्राप्तीय सहायक आयुक्त के समन्वय विचाराधीन पड़ी अपीलें, जिनके प्रधिकार क्षेत्र में उक्त आयकर परिमंडल/वार्ड जिला अथवा उसका कोई भाग अन्तरित किया गया हो, इस अधिसूचना के नाम होने की तारीख से रेंज के उस प्राप्तीय सहायक आयुक्त को अन्तरित की जाएंगी और उसके द्वारा निपटायी जाएंगी जिनके प्रधिकार-क्षेत्र में उक्त परिमंडल, वार्ड, जिला अथवा उसका कोई भाग अन्तरित किया गया हो।

यह अधिसूचना 1-3-1986 से लागू होगी।

[सं. 6601(फा. सं. 261/5/86-प.क.म्या.)]

New Delhi, the 25th February, 1986

(INCOME-TAX)

S.O. 171.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous Notifications in this regard, the Central Board

of Direct Taxes hereby directs that Appellate Asstt. Commissioner of Income-tax of the Range specified in column (1) of the schedule below, shall perform their functions in respect of all persons and income assessed to income-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereto excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Range	Income-tax Circles/Wards/Districts
1. Ambala Range	All Income-tax Circles, Wards and Districts having headquarters at :— 1. Ambala. 2. Yamunanagar. 3. Karnal 4. Kurukshetra. 5. Panipat. 6. Sonepat. 7. Jind. 8. Kaithal. 9. Salary-cum-Company Circle, Chandigarh. 10. Sirsa.
2. Rohtak Range	All Income-tax Circles/Wards/Districts having headquarters at :— 1. Rohtak. 2. Gurgaon. 3. Faridabad. 4. Rewari. 5. Hissar. 6. Bhiwani. 7. Narnaul.

Whereas an Income-tax Circle, Ward, District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of the assessments in that Income-tax Circle, made Wards, District or part thereof and pending immediately before the date of this Notification before the Appellate Asstt. Commissioner of the range from whom that Income-tax Circle/Ward/District or part thereof is transferred shall from the date this Notification takes effect be transferred to and dealt with by the Appellate Asstt. Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 1-3-1986.
[No. 6601(F.No. 261/5/86-ITJ)]

का. प्रा. 2172.—आयकर आयुक्त (प्रवीन), लक्ष्मण के लेखा-
घकार द्वेष समयन्समय पर यथा संघोधित केन्द्रीय प्रत्यक्षकर बोर्ड की

विनाक 1-10-185 को प्रधिकूचना सं. 6015 (फा. सं. 261/19/83-पा. क. न्या.) में निम्नलिखित को जोड़ा जाएगा :—

उक्त अनुसूची में स्तम्भ 2 के नीचे प्रविधि 1 पा. क. पा. (घोषणा) सखनक के सामने मद सं. 21 के नोब नद सं. 22 और 23 के रूप में निम्नलिखित का जागा जाएगा :
 “सं. 22. विशेष परिमंडल, सखनक।
 सं. 23. प्रतिरक्षत विशेष परिमंडल, लखनऊ।”

यह प्रधिकूचना 1-3-1986 से लागू होगा।

[सं. 6600/फा. सं. 261/1/86-पा.क.न्या.]

S.O. 2172.—In the notification of Central Board of Direct Taxes No. 6015 (F. No. 261/19/83-ITJ) dated 10-10-1984 as amendment from time to time for Jurisdiction of Commissioner of Income-tax (Appeal), Lucknow, the following shall be added :—

In the said Schedule under Column 2 against entry 1 CIT(A), Lucknow, the following shall be added below item No. 21 as items No. 22 and 23 :—

“No. 22. Special Circle, Lucknow.

No. 23. Additional Special Circle, Lucknow.”

This notification shall take effect from 1-3-1986.

[No. 6600/F. No. 261/1/86-ITJ]

फा. पा. 3173.—केन्द्रीय प्रथक कर घोड़े की दिनांक 14/15-9-1984 की प्रधिकूचना संख्या 5985 (फा. सं. 261/15/84-पा.क.न्या.) में आपालीय सहायक आयकर आयुक्त, करेंज, सखनक के भित्रिकार के स्थान पर निम्नलिखित को जोड़ा जाएगा :—

उक्त अनुसूची में स्तम्भ 2 के नीचे प्रविधि 1, भ्रोगोव सहायक आयकर आयुक्त, करेंज, सखनक के सामने मद सं. 7 के नीचे मद सं. 8 तथा 9 के रूप में निम्नलिखित को जोड़ा जाएगा :—

“सं. 8 विशेष परिमंडल, लखनऊ
 सं. 9 प्रतिरक्षत विशेष परिमंडल, सखनक।”

यह प्रधिकूचना 1-3-1986 से लागू होगी।

[सं. 6602/फा. सं. 281/4/86-पा.क.न्या.]

S.O. 2173.—In the notification of Central Board of Direct Taxes No. 5985 (F. No. 261/15/84-ITJ) dated 14/15-9-1984 for the jurisdiction of Appellate Asstt. Commissioner of Income-tax, A-Range, Lucknow, the following shall be added :—

In the said Schedule under column 2 against entry 1, AAC—A-Range, Lucknow, the following shall be added below item No. 7 as item No. 8 and 9 :—

“No. 8 Special Circle, Lucknow.

No. 9 Additional Special Circle, Lucknow.”

This notification shall take effect from 1-3-1986.

[No. 6602/F. No. 261/4/86-ITJ]

नई दिल्ली, 13 मार्च, 1986

फा. पा. 2174.—आयकर भवित्वनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त भवित्वों का प्रयोग करते हुए तथा इस संबंध में सभी प्रैवर्तीय प्रधिकूचनाओं का प्रधिकरण करते हुए केन्द्रीय प्रथक कर घोड़े एतद्वारा निदेश देते हैं कि नीचे अनुसूची के स्तम्भ (1) में विनियिष्ट प्रधिकार-झेत्र को आयकर आयुक्त (घोषणा) स्तम्भ (2) घोड़े (3) की सततवर्धी प्रविधियों में विनियिष्ट आयकर घोड़े, परिमंडलों, जिलों और रेंजों में प्राप्त २२८ २२८ २२८ व्याज से कर भवित्वरित ऐसे व्यक्तियों के बारे में, जो आयकर भवित्वनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) से (ज), इष्टपनी

(लाभ) भवित्वकर भवित्वनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) तथा घोड़े कर भवित्वनियम, 1974 (1974 का 43) की धारा 15 की उपधारा (1) में उल्लिखित किसी आवेदन से अधित हुए हैं घोड़े ऐसे व्यक्तियों प्रथक व्यक्तियों की व्येगियों को बाबत भी, जिनके लिए घोड़े से आयकर भवित्वनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपर्योग के प्रयोग निरोग दिग्द हैं या अधिक में निवेद दें, कार्य करेगा :—

अनुसूची

प्रधिकार-झेत्र संहिता	आयकर वार्ड और परिमंडल	नियोजक सहायक आयकर आयुक्तों के रेंज
आयकर आयुक्त (घोषणा), कटक	आयकर आयुक्त, मुत्तेश्वर के लोगाविहार में घोड़े वाले संग्रह शुल्क परिमंडलों संहित सभी वार्ड और परिमंडल।	आयकर आयुक्त, मुत्तेश्वर के लोगाविहार में घोड़े वाली सभी रेंजों में घोड़े वाली सभी रेंजों।

यह कोई आयकर परिमंडल, वार्ड या जिला या उसका कोई भाग है अधिकूचना द्वारा एक रेंज से किसी आय रेंज में अन्तरित कर दिया जाता है, उस परिमंडल, वार्ड या जिला या उसके किसी भाग में किए गए कर-नियार्थियों से उत्पन्न होने वाली घोड़े इस अधिकूचना की तारीख से तकाल पूर्व रेंज के उस आयकर आयुक्त (घोषणा) के समझ पढ़ी घोषणे, जिनके प्रधिकार-झेत्र से उस परिमंडल, वार्ड या जिला या उसका कोई भाग प्रस्तरित किया गया हो, इस प्रधिकूचना के लागू होने की तारीड से रेंज के उस आयकर आयुक्त (घोषणा) की अन्तरित की जाएंगे, और उसके द्वारा नियार्थि जाएंगे जिनके प्रधिकार-झेत्र में उक्त परिमंडल, वार्ड या जिला या उसका कोई भाग प्रस्तरित किया गया हो।

यह प्रधिकूचना 1-4-1986 से लागू होगी।

[सं. 6619 (फा. सं. 261/20/83-पा.क.न्या.)]

New Delhi, the 13th March, 1986

S.O. 2174.—In exercise of the powers conferred by subsection (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (Appeals) of the charge specified in column (1) of the schedule below, shall perform his functions in respect of such persons assessed to Income-tax or Sur-tax or Interest-tax in the Income-tax wards, circles, districts and ranges specified in the corresponding entries in column (2) & (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 11 of Companies (Profits) Sur-tax Act, 1964 (7 of 1964) and in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act 1961.

SCHEDULE

Charge	Income-tax Wards with & circles	Ranges of IACs of Income-tax
CIT (Appeals)	All wards and circles including E.D. Circles within the Jurisdiction of CIT, Cuttack	All Ranges within jurisdiction of CIT, Bhubaneshwar.

Whereas an income-tax circle, ward or district or part thereof stands transferred by this notification from one charge to another charge, appeals arising out of assessments made in that Income-tax Circle, ward of District or part thereof and pending immediately before the date of this notification before the commissioner of Income-tax (A) of the charge from whom the said Income-tax Circle, ward, district of part thereof is transferred shall, from the date this notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (A) of the charge to whom the said circle, ward or district or part thereof is transferred.

This notification shall take effect from 1-4-1986.
[No. 6619 /F. No. 261/20/83-ITJ]

का. भा. 2175. आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में सभी पूर्ववर्ती अधिसूचनाओं का अधिकरण करते हुए केवल प्रलेख कर बोर्ड एवं द्वारा निवेश देता है कि भीषण अनुसूची के स्तरम् (1) में विनिर्दिष्ट अधिकार-क्षेत्र का आयकर आपूर्त (प्रतील) स्तरम् (2) और (3) की तस्वीरी प्रविष्टियों में विनिर्दिष्ट आयकर काढ़ी, परिमण्डलों, जिलों और रोज़ों में आयकर अवधा अस्तिकार अवधा आजकर से निवारित ऐसे अवक्षियों के बारे में, जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) से (ज), कंपनी (साम) प्रतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) तथा व्याजकर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी आदेश से अविल हुए हैं और ऐसे अवक्षियों अवधा अवक्षियों की थेगियों को बाबत भी, जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपवर्णों के अनुसार निवेश दिया है या अविल्य में निवेश है, कार्य करेगा :

अनुसूची

अधिकार वाहू सहित आयकर बांड़ी और परिमण्डल निरिक्षी सहायक आयकर आयकरों के रेंज

1. आयकर आपूर्त (प्रतील), पटना भा. क. आपूर्त, पटना आयकर आपूर्त पटना और राजी के क्षेत्राधिकार और राजी के क्षेत्राधिकार में आने वाले संपदा शुल्क कार में आने वाली सभी परिमण्डलों सहित सभी बांड़ी रेंज।
तथा परिमण्डल।

यह: कोई आयकर परिमण्डल, बांड़ी या जिला अवधा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी भाग रेंज में प्रस्तुतिस कर दिया जाता है, उस परिमण्डल, बांड़ी अवधा जिले अवधा उसके किसी भाग में किए गए कर-निवारणों से उत्पन्न होने वाली और इस अधिसूचना की सारी भाग से तत्काल पूर्व रेंज के उस आयकर आपूर्त के समक्ष पही भीलें,

जिनके अधिकार-क्षेत्र से उस परिमण्डल, बांड़ी जिला अवधा उसका कोई भाग अन्तरित किया गया हो, इस अधिसूचना के लागू होने की सारी भाग से रेंज के उस आयकर आपूर्त को अन्तरित की जाएगी और उसके द्वारा निपटाई जाएगी, जिसके अधिकार-क्षेत्र में उक्त परिमण्डल, बांड़ी अवधा जिला या उसका कोई भाग अन्तरित किया गया हो।

यह अधिसूचना 1-4-1986 से लागू होगी।

[सं. 6618/फ. सं. 261/20/83-पा. क. स्या.]
ए. के. गर्ग, अवृत्त सचिव,
केन्द्रीय प्रत्यक्ष कर बोर्ड

S.O. 2175—In exercise of the powers conferred by Sub-Section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (Appeals) of the charge specified in column (1) of the schedule below, shall perform his functions in respect of such persons assessed to Income-tax or Surtax or Interest-tax in the Income-Tax wards, circles, districts and ranges specified in the corresponding entries in column (2) & (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 11 of Companies (Profits) Surtax Act, 1964 of 1964) and in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974), and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Charge with	Income-tax Wards & circles	Ranges of IACs of Income-tax
CIT (Appeals), Patna	All wards and circles including E.D. Circles within the jurisdiction of CIT, Patna and Ranchi.	All Ranges within the jurisdiction of CIT, Patna and Ranchi.

Whereas an income-tax circle, ward or district or part thereof stands transferred by this notification from one charge to another charge, appeals arising out of assessments made in that Income-tax Circle, ward or District or part thereof and pending immediately before the date of this notification before the commissioner of Income-tax (A) of the charge from whom the said Income-tax circle, ward, district or part thereof is transferred shall, from the date this notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (A) of the charge to whom the said circle, ward or district or part thereof is transferred.

This notification shall take effect from 1-4-1986.

[No. 6618/F. No. 261/20/83-ITJ]

A.K. GARG, Under Secy.
Central Board of Direct Taxes

नई दिल्ली, 7 मई, 1986

का. आ. 2176.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी वाई. पी. पुरी को, जिनकी धारा 11 की उपधारा (1) के तहत कपूरथला फिरोजपुर धानीय ग्रामीण बैंक, मपूरथला (पंजाब) के अध्यक्ष के रूप में नियुक्त की तीन वर्ष की पहली अवधि 31-3-1986 को समाप्त हो गई है, 1-4-1986 से प्रारंभ होकर 30-9-1986 को समाप्त होने वाली अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-46/85-प्रार. आर. वी.]

New Delhi, the 7th May, 1986

S.O. 2176.—In exercise of the powers conferred by Sub-section (2) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government reappoints Shri Y. P. Puri as the Chairman of Kapurthala Firozpur Kshetriya Gramin Bank, Kapurthala (Punjab) whose earlier tenure of three years appointment under sub-section (1) of section 11 had expired on 31-3-1986 for a period commencing from 1-4-86 and ending with 30-9-1986.

[No. F. 2-46/85-RRB]

का. आ. 2177.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी वी. एल. चोपड़ा को, जिनकी धारा 11 की उपधारा (1) के तहत शिवालिक केन्द्रीय ग्रामीण बैंक, होशियारपुर (पंजाब) के अध्यक्ष के रूप में नियुक्त की तीन वर्ष की पहली अवधि 31-3-1986 को समाप्त हो गई है, 1-4-1986 से प्रारंभ होकर 30-9-1986 को समाप्त होने वाली अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-47/85-प्रार. आर. वी.]

S.O. 2177.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby reappoints Shri B. L. Chopra Chairman, Shivalik K. Gramin Bank, Hoshiarpur (Punjab) whose earlier tenure of three years appointment under sub-section (1) of Section 11 had expired on 31-3-1986 for a period commencing from 1-4-1986 and ending with 30-9-1986.

[No. F. 2-48/85-RRB]

का. आ. 2178.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एटद्वारा थी ओ. एम. अक्षय कुमार को फोलार ग्रामीण बैंक, फोलार का अध्यक्ष नियुक्त करती है तथा 1-3-1986 से प्रारंभ होकर 28-2-1989 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान थी ओ. एम. अक्षय कुमार अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-39/85/आर.आर.वी.]

S.O. 2178.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri M. A. Akshaya Kumar, Chairman Kolar Gramin Bank, Kolar and specifies the period commencing on the 1-3-1986 and ending with the 28-2-1989 as the period for which the said Shri M. Akshaya Kumar shall hold office as such Chairman.

[No. F. 2-39/85-RRB]

नई दिल्ली, 8 मई, 1986

का. आ. 2179.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी एम. एल. चोपड़ा को, जिनकी धारा 11 की उपधारा (1) के तहत चंद्रपुर गोड्डिरोला ग्रामीण बैंक, चंद्रपुर (महाराष्ट्र) के अध्यक्ष के रूप में नियुक्त की तीन वर्ष की पहली अवधि 17-1-1986 को समाप्त हो गई है, 18-1-1986 से प्रारंभ होकर 30-9-1986 को समाप्त होने वाली अवधि के लिये उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-49/85-प्रार. आर. वी.]

New Delhi, the 8th May, 1986

S.O. 2179.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby reappoints Shri M.L. Chopra, Chairman, Bidur Gramin Bank, Bijnor whose earlier tenure of three years appointment under sub-section (1) of Section 11 had expired on 17-1-1986 for a period commencing from 18-1-1986 and ending with 30-9-1986.

[No. F. 2-49/85-RRB]

का. आ. 2180.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी आर. के. गर्ग को, जिनकी धारा 11 की उपधारा (1) के तहत गुरादासपुर-ममूतसर केन्द्रीय ग्रामीण विकास बैंक, गुरादासपुर के अध्यक्ष के रूप में नियुक्त की तीन वर्ष की पहली अवधि 31-3-1986 को समाप्त हो गई है, 1-4-1986 से प्रारंभ होकर 30-9-1986 को समाप्त होने वाली अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-47/85-प्रार. आर. वी.]

S.O. 2180.—In exercise of the powers conferred by sub-section (2) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government reappoints Shri R. K. Garg, as the Chairman of Guradaspur Amritsar Kshetriya Gramin Vikas Bank, Gurdaspur whose earlier tenure of three years appointment under sub-section (1) of Section 11 had expired on 31-3-1986 for a period commencing from 1-4-1986 ending with 30-9-1986.

[No. F. 2-47/85-RRB]

का. आ. 2181.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एटद्वारा थी ओ. एम. खजूरिया को जम्मू झज्जर बैंक, जम्मू का अध्यक्ष नियुक्त करती है तथा 17-2-1986 से प्रारंभ होकर 28-2-1989 को तक त होने वाली अवधि को उस अवधि के रूप में सिर्फ़ारित करती है जिसके दौरान थी ओ. एम. खजूरिया. अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-40/85-प्रार. आर. वी.]

S.O. 2181.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri O. M. Kharjuria as the Chairman of Jammu Rural Bank, Jammu and specifies the period commencing on the 17-2-1986 and ending with the 28-2-1989 as the period for which the said Shri O. N. Khajuria shall hold office as such Chairman.

[No. F. 2-40/85-RRB]

का. आ. 2182.—प्रादेशिक ग्रामीण बैंक अधिनियम, (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी डी. ई. परब को जिनकी धारा 11 की उपधारा (1) के तहत चंद्रपुर गोड्डिरोला ग्रामीण बैंक, चंद्रपुर (महाराष्ट्र) के अध्यक्ष के रूप में नियुक्त की तीन वर्ष की पहली अवधि 28-2-1986 को समाप्त हो गई है, 1-3-1986 से प्रारंभ होकर 31-3-1986 को समाप्त होने वाली अवधि के लिये उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-43/85-प्रार. आर. वी.]

S.O. 2182.—In exercise of the powers conferred by sub-section (2) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby reappoints Shri D.D. Paraab as the Chairman of Chandrapur Godchiroli Gramin Bank, Chandarpur (Maharashtra) whose earlier tenure of three years appointment under sub-section (1) of section 11 had expired on 28-2-1986 for a period commencing from 1-3-1986 and ending with 31-3-1986.

[No. F. 2-4/85-RRB]

नई दिल्ली, 14 मई, 1986

का. आ. 2183.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार थी एम. पी. दुबे को, जिनकी धारा 11

को उपधारा (1) के तहन सरगुजा क्षेत्रीय ग्रामीण बैंक, अम्बिकापुर के अधिकार के रूप में नियुक्त की तीन वर्ष की पहली अवधि 31-10-1985 को समाप्त हो गयी है, 1-11-1985 से प्रारंभ होकर 23-12-85 को समाप्त होने वाली अधिकार के लिये उक्त बैंक का पुनः अधिकार नियुक्त करती है।

[संख्या एफ. 2-29/85-आर. आर. धी.]

New Delhi, the 14th May, 1986

S.O. 2183.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby reappoints Shri N.P. Dube as the Chairman of Surguja Kshetriya Gramin Bank, Ambikapur whose earlier tenure of three years appointment under sub-section (1) of section 11 had expired on 31-10-85 for a period commencing from 1-11-85 and ending with 23-12-1985.

[No. F. 2-29/85-RRB]

का. आ. 2184.—ग्रादेशिक ग्रामीण बैंक अधिकारीयम्, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री जे. के. जैन को सरगुजा क्षेत्रीय ग्रामीण बैंक, अम्बिकापुर (म.प्र.) का अधिकार नियुक्त करती है तथा 24-12-1985 से प्रारंभ होकर 31-12-1988 को समाप्त होने वाली अधिकार को उस अधिकार के रूप में निर्धारित करती है जिसके दोगने श्री जे. के. जैन अधिकार के रूप में कार्य करेंगे।

[संख्या एफ. 2-29/85-आर. आर. धी.]

च. वा. मीरचन्दनी, निदेशक

S.O. 2184.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri J. K. Jain as the Chairman of the Surguja Kshetriya Gramin Bank, Ambikapur (MP) and specifies the period commencing on the 24-12-1985 and ending with the 31-12-1988 as the period for which the said Shri J.K. Jain shall hold office as such Chairman.

[No. F. 2-29/85-RRB]

C.W. MIRCHANDANI, Director

नई दिल्ली, 22 मई, 1986

का. आ. 2185.—भारतीय रिजर्व बैंक अधिकारीयम्, 1934 (1934 का 2) की धारा 50 द्वारा प्रबल शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्ननिवित चार्टर्ड लेखाकारों की कमी को अर्थ 1985-86 के लिए भारतीय रिजर्व बैंक के लेखा-पर्याकर नियुक्त करती अधिकारीयता :—

1. मैसर्स धे. सी. खसना एण्ड कम्पनी, चार्टर्ड लेखाकार, 665, गोडिंग मेन्सन, कनाट महाराष्ट्र, नई दिल्ली ।
2. मैसर्स वेद एण्ड कम्पनी, चार्टर्ड लेखाकार, अंतंता विलिंग, जी. टी. रोड, गाजियाबाद (उत्तर प्रदेश)
3. मैसर्स सी. सी. चोकसी एण्ड कम्पनी, चार्टर्ड लेखाकार, मफतलाल बाजार, दैक्षे रिलेमेंशन, बम्हई-400 020
4. मैसर्स दास गुल एण्ड कम्पनी, चार्टर्ड लेखाकार, 122-124, माइन बस्टी, नई दिल्ली-110005
5. मैसर्स एम. आर. बाटलीबाप्प एण्ड कम्पनी, चार्टर्ड लेखाकार, 36, गणेश चन्द्र एवेन्यु, कलकत्ता-700013
6. मैसर्स ब्रह्मेन्द्रा एण्ड कम्पनी, चार्टर्ड लेखाकार, अन्ध्र हायोरेंस विलिंग, 156, थम्बू घट्टा स्ट्रीट मद्रास-600001

[सं. 1(11)/86- लेखा]
ना. बालासुब्रह्मण्यन, निदेशक

New Delhi, the 22nd May, 1986

S.O. 2185.—In exercise of the powers conferred by Section 50 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoint the following firms of Chartered Accountants as Auditors of the Reserve Bank of India for the year 1985-86, namely :—

1. M/s. K. C. Khanna & Co., Chartered Accountants, 665, Gobind Mansion, Connaught Circus, New Delhi.
2. M/s. Ved & Co., Chartered Accountants, Ajanta Building, G.T. Road, Ghaziabad, (U.P.).
3. M/s. C. C. Chokshi & Co., Chartered Accountants, Mafatlal House, Mackbay Reclamation, Bombay-400020.
4. M/s. Dass Gupta & Co., Chartered Accountants, 122-124, Model Basti, New Delhi-110005.
5. M/s. S. R. Batliboi & Co., Chartered Accountants, 36, Ganesh Chandra Avenue, Calcutta-700013.
6. M/s. Brahmaya & Co. Chartered Accountants, Andhra Insurance Building, 156, Thambu Chetty Street, Madras-600001.

[No. 1(11)86/Accts]
N. BALASUBRAMANIAN, Director

(केन्द्रीय उत्ताप शुल्क समाहरणालय)

हैदराबाद, 23 अप्रैल, 1986

अधिकूचना सं. 4/86

का. आ. 2186.—केन्द्रीय उत्ताप शुल्क नियमावासी, 1944 के नियम-5 के अधीन प्रबल शक्तियों का उपयोग करता हुआ में निम्ननिवित नियमों के अधीन मूल में निहित शक्तियां कॉलम-3 में उल्लेखित अधिकारियों में उनके अपने-अपने कार्यक्षेत्रों में उपयोग के लिए प्रथायोजित करता हूँ।

केन्द्रीय उत्ताप प्रत्यायोजित शक्तियों की प्रक्रिया किस अधिकारी में गूलक नियमावासी

का नियम किस अधिकारी में गूलक नियमावासी

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57 एफ (I) (ii)	प्रांतिक खण्ड या वंश पत्र के अधीन नियमित हो लिए गए निवेशों को, जिनके विषय में नियम 57 ए के अधीन शुल्क जमा करने की अनुमति दी जाए गई है, हटाए जाने की अनुमति देने की अपेक्षा	सहायक गमाहर्ता
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57 एफ (2)	निवेशों की उनके मूलरूप में या ऐसे निवेश जिन्हें अतिम उत्पाद समाहरण के निमिण हेतु जांच, मरम्मती आदि उद्देश्यों से कारब्रान के बाहर अन्यत्र संसाधित किया गया हो और पुनः मूल कार-खाने में वापस लाया गया हो, को हटाए जाने की अनुमति देने की अपेक्षा	सहायक गमाहर्ता
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57 एफ (3)	आर. वी. 23 संघ्रे में पड़े सहायक भग्नद्रवज गमाहर्ता के आर. वी. 23 ए. लंबे में अन्तर्ण समाहर्ता की अनुमति देने की अपेक्षा	—
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[का. सी. सं. IV-16/15/86-एम. वी.]
आर. गोपाल नाथन, समाहर्ता

(Office of the Collector of Central Excise)
 Hyderabad, the 23rd April, 1986
 NOTIFICATION NO. 4/86

S.O. 2186.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I delegate the powers vested in me under the rules details below to the officers designated in column 3 to be exercised within their respective jurisdiction.

Central Excise Rules	Nature of powers delegated	Officer to whom delegated	Limitations
(1)	(2)	(3)	(4)
57. F(1)(ii)	Power to permit the removal of inputs, in respect of which credit of duty has been allowed under rule 57A, for home consumption or for export under bond.	Assistant Collector	— —
57 F(2)	Power to permit removal of inputs as such or after the inputs have been partially processed to a place outside the factory for the purpose of test, repairs etc. necessary for the manufacture of the final product and turn the same to the factory of origin.	Assistant Collector	— —
57 H(3)	Powers to permit the transfer of credit of duty lying unutilised in RG 23 account to RG 23-A Account.	Assistant Collector	— —

[C. No. IV/16/15/86-MP]
 R. GOPALNATHAN, Director

वाणिज्य मंदिरलय

(मुख्य नियंत्रक, भारात-निर्यात का कार्यालय)

(सी. जी-३ प्रभुगांग)

नई विल्लो, 27 मई, 1986

प्रावेश

का. आ. 2187.—मैसर्स सुचित्रा फेरिटिस लिमिटेड, याणम, वराक्करम, रोड, याणम, पांडिचेरी को परिवहन जर्मनी पूँजीगत माल छृण के अंतर्गत दो नग उच्च दक्षता बाले ऑटोमैटिक ब्रैस के आपात के लिए रु. 42,09,800/- (बयालीस लाख नी हजार तथा आठ सी रु. मात्र) (डी. एम 1,041,909) का एक भारात लाइसेंस सं. पी/ सी. जी/ 2099107/एस/जी एन/१६/एच/८५/सी. जी-३, दिनांक 12-7-85 जारी किया गया था। कर्म में उक्त लाइसेंस की सीमाशुल्क/मुद्राविनियम नियंत्रण प्रति की घनुलिपि प्रति जारी किए जाने का इस प्राधार पर प्रावेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रायोजन/मुद्रा विनियम नियंत्रण प्रतियों द्वा नई है या अस्थानस्थ हो गई है। प्रागे यह भी कहा गया है कि लाइसेंस की सीमाशुल्क प्रायोजन/मुद्रा विनियम नियंत्रण प्रतियों को किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं कराया गया था तथा इस प्रकार दोनों प्रतियों के मूल्य का बिल्कुल भी उपयोग नहीं किया गया है।

2. अपने तर्क के समर्थन में लाइसेंसधारक ने विशेष मैट्रिपलिटन मजिस्ट्रेट के सम्मुख विधिवत शपथ लेकर स्टाम्प ऐपर पर एक शपथ पत्र आंदोलित किया है। मैं लदनुसार, संतुष्ट हूँ कि भारात लाइसेंस सं. पी/सी. जी/ 2099107 दिनांक 12/7/85 की मूल सीमा शुल्क/मुद्रा विनियम नियंत्रण प्रति फर्म द्वारा खो गई है या अस्थानस्थ हो गई है। भारात-संशोधित भारात (नियंत्रण) भारातेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सी. सी.) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैं सुचित्रा फेरिटिस लि. याणम, वराक्करम रोड, याणम, पांडिचेरी को जारी मूल सीमाशुल्क/मुद्राविनियम नियंत्रण प्रयोजन प्रतियों सं. पी/सी. जी/ 2099107 दिनांक 12-7-85 को एनदब्ल्यूआर रद्द किया जाता है।

3. पार्टी को उक्त लाइसेंस की मनुस्तिपि सीमाशुल्क/मुद्राविनियम नियंत्रण प्रतियों को भलग से जारी किया जा रहा है।

[का. सं. नं. डी.-३/१६१०/६/८४-८५]
 पाल बेंक, मुख्य नियंत्रक, भारात-निर्यात

MINISTRY OF COMMFRCE
 (Office of the Chief Controller of Imports and Exports)
 (C.G. III Section)

New Delhi, the 27th May, 1986

ORDER

S.O. 2187.—M/S. Suchitra Ferrites Limited, Yanam, Darksharam Road, Yanam, Pondicherry, were granted an import

licencce No. P/CG/2099107/S/GN/96/H/85-CG. III dated 12th July, 1985 for Rs. 42,09,800 (Rupees Forty two lakhs Nine thousand and Eight hundred only) (DM 1,041,909) for import of Two Nos. High efficiency Automatic Press under West German Capital Goods Credit. The firm has applied for issue of Duplicate copy of Customs/Exchange Control purposes copies of the above mentioned licence on the ground that the original Customs purposes/Exchange Control copies of the licence has been lost or misplaced. It has further been stated that the Customs Purposes/Exchange Control copies of the licence was not registered with any Customs authority and as such the value of both copies has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Special Metropolitan Magistrate, Secunderabad. I am accordingly satisfied that the original Customs/Exchange control purposes copies of import licence No. P/CG/2099107 dated 12-7-85 have been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order 1955 dated 7-12-1955 as amended the said original Customs/Exchange control purposes copies No. P/CG/2099107 dated 12-7-85 issued to M/s Suchitra Ferrites Ltd., Yanam, Draksharam Road, Yanam, Pondicherry are hereby cancelled.

3. Duplicate Customs/Exchange control purposes copies of the said licence are being issued to the party separately.

IE. No. CG. III/1610/6/84-851
PAUL BECK, Chief Controller of I&E

लाई दिल्ली, 21 मई, 1986

आदेश

का. आ. 2188.—मैसर्स उडीसा सीमेन्ट लिमिटेड (हरी फर्टीलाइ-ग्राह यूनिट), नई दिल्ली को मुक्त विवेशी भूमा विनियम के अंतर्गत द्रुतिक के लिए बी-टेल्ट्स, एन्डोर बोल्ट्स, ट्यूब्स, मार्बेटिंग, फालत पुर्जे और उप साधियों सहित पूर्ण दीन नग पुशर सेट्टीग्रेज दावपत्र पी-80 के आयात के लिए 44,55,900/- रु. (मात्र चावलीम लाख पचास हजार तीन सौ रुपए) का एक आयात लाइसेंस सं. पी/सी जी/ 2095056 दिनांक 22-12-83 दिया गया था। कर्म से उपर्युक्त उत्तिवित सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति को जारी करने के लिए इस ग्राधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानात्म हो गई है। आगे यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन प्रति कलकत्ता पत्रकान में पंजीकृत थी और अधिक रूप से उपयोग में लाई गई थी और लाइसेंस की अनुलिपि सीमा शुल्क प्रयोजन प्रति 20,25,272 रु. की रोप राशि के लिए आहिए।

2. अपने तरफ के समर्थन में लाइसेंसधारी ने नोटिस पब्लिक, दिल्ली के सम्मुख विविध शपथ लेखा स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है। सबनुसार, मैं संतुष्ट हूँ कि आयात लाइसेंस सं. पी/सी जी/ 2095056 दिनांक 22-12-1983 की मूल सीमा शुल्क प्रयोजन प्रति कर्म से खो गई/अस्थानात्म हो गई है। व्यापारीयोंवित आयात (नियन्त्रण) आदेश, 1955 दिनांक 7-12-1955 के उपर्युक्त 9 (सी सी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स उडीसा सीमेन्ट लिमिटेड (हरी फर्टीलाइ-ग्राह यूनिट) को जारी की गई उक्त मूल सीमा शुल्क प्रयोजन प्रति सं. पी/सी जी/ 2095056 दिनांक 22-12-1983 एन्ड्राधार रुप की जारी है।

3. लाइसेंस की वैधता अवधि के भीतर पोत लावान किए गए माल की निकासी के लिए दिए गए बांड को रिलीज करने के लिए पार्टी को उक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुलिपि अलंग से जारी की जा रही है।

[फ. सं. सी जी 3/417/19/83-84]
प्रार. एस. ए. लुइस, उप मुख्य नियंत्रक,
आयात एवं नियंत्रण

New Delhi, the 21st May, 1986

ORDER

S.O. 2188.M's. Orissa Cement Limited (Unit Hari Fertilizers), New Delhi were granted an import licence No. P/CG/2095056 dated 22-12-83 for Rs. 44,55,900/- (Rupees Forty four lakhs fifty five thousand and nine hundred only) for import of three Nos. Pusher Centrifuges Types P-80 complete with V-Belts for the drive, anchor bolts, tools mounting, spares and accessories under free foreign exchange. The firm has applied for issue of Duplicate copy of Customs Purposes copy of the above mentioned licence on the ground that the original Customs Purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs Purposes copy of the licence was registered with Calcutta Port, Calcutta utilized partly and the Duplicate customs Purposes copy of the licence is required to cover the balance of Rs. 20,25,272/-.

2. In support of their contention, the licence has filed on affidavit on stamped paper duly sworn in before a Notary Public, Delhi. I am accordingly satisfied that the original Customs Purposes copy of import licence No. P/CG/2095056 dated 22-12-1983 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9 (cc) of the Import (Control) Order 1955 dated 7-12-1955 as amended the said original Customs Purposes copy No. P/CG/2095056 dated 22-12-1983 issued to M/s Orissa Cement Limited (Unit Hari Fertilizers), New Delhi is hereby cancelled.

3. A Duplicate Customs Purposes copy of the said licence is being issued to the party separately for release of bond given for effecting clearance of goods shipped within the validity of the licence.

IE. No. CG. III/417/19/83-84]

R. S. A. LOUIS, Dy. Chief Controller of I&E

उद्दीप भाष्यालय

(कम्पनी कार्य विभाग)

लाई दिल्ली, 22 मई, 1986

का. आ. 2189.—एकाधिकार नया छव्वेश्वक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की भाग 26 की उपधारा (3) के अध्ययन में, केन्द्रीय सरकार एन्ड्राधार इस अधिसूचना के ...। उसक में उत्तिवित उपकरणों के पंजीकरण को, उक्त उपकरणों के बहु उपकरण होने पर, जिन पर उक्त अधिनियम के अध्याय-III के भाग के के उपन्यव्यवहार लाई नहीं होते हैं, के निरस्तीकरण को अधिसूचित करती है।

[सं. 16/12/86-एम.-3]

एल. सी. गोपल, अवर सचिव

अधिसूचना सं. 16/12/86-एम.-3 का अनुलग्न

क्रम	उपकरण का नाम	पंजीकृत पता	पंजीकरण संख्या
1	2	3	4
1.	मी. लक्ष्मी लिमिटेड	बम्बई हाउस, होमी शोरी	895/73 स्ट्रीट, बम्बई-400023
2.	जी. आमस ट्रेडिंग एंड निलहाट हाउस, 11, आर.	2063/84	इन्वेस्टमेंट्स प्राइवेट लिमिटेड एन. मुकर्जी रोड, कलकत्ता-700001
3.	टी. कोटास प्राइवेट लिमिटेड	-योपरि-	2062/84
4.	वी. आनंदा कार्म कोवद्वारा-534350 केमिकल्स कार्पोरेशन	1521/81	वेस्ट गोदावरी जिला, लि. आंध्र प्रदेश
5.	इंडियन एक्सप्रेस न्यूज- पेपर्स (बम्बई) प्राइ- वेट लि.	1016/75	एक्सप्रेस टावर, नरीमन प्ला- इन्ड, बम्बई-400021

1	2	3	MINISTRY OF INDUSTRY (Department of Company Affairs)
8. श्रीम प्रभा प्राइवेट लि.	प्राइवेट 16-1-28, कोलावा रोड, पौरनगरपेट विजयवाडा	1017/75	New Delhi, the 22nd May, 1986
7. इंडियन एक्सप्रेस (मदुराई) प्राइवेट लि.	एक्सप्रेस इस्टेंट्स, माउन्ट रोड, मद्रास 600002	1015/75	S.O. 2189.—In pursuance of Sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of the undertakings mentioned in the Annexure to this notification, the said undertakings being undertakings to which the provisions of Part A Chapter III of the said Act no longer apply.
8. ट्रेडर्स प्राइवेट लि.	पहली मंजिल, एक्सप्रेस टार्मस, परीमन प्लाई बम्पर्ह-400021	977/74	[No. 16]12/86-M. II] L. C. GOYAL, Under Secy.
9. एक्सप्रेस न्यूजपेपर्स लि.	एक्सप्रेस इस्टेंट्स, माउन्ट रोड, मद्रास -600002	1020/75	

Annexure to the Notification No. 61/12/86-M-III

S. Names of the Undertakings No.	Registered Address	Registration No.
1. M/s. Lakme Limited	Bombay House, Homi Modi Street Bombay-400 023.	895/73
2. J. Thomas Trading & Investments Private Ltd.	Nilhat House, 11, R.N. Mukherjee Road, Calcutta-700001	2063/84
3. Tea Quotas Private Ltd.	-do-	2062/84
4. The Andhra Farm Chemicals Corporation Ltd.	KOVVUR—534 350, West Godavari Distt. Andhra Pradesh.	1521/81
5. Indian Express Newspapers (Bombay) Private Ltd.	Express Towers Nariman Point Bombay-400 021	1016/75
6. Andhra Pradesh Private Ltd.	16-1-28, Kolanda Reddy Road, 1017/75 Poornadampet Vijayawada.	
7. Indian Express (Madurai) Pvt. Ltd.	Express Estates, Mount Road, Madras-600 002.	1015/75
8. Traders Private Ltd.	1st Floor, Express Towers, Nariman Point, Bombay-400 021.	977/74
9. Express Newspapers Ltd.	Express Estates, Mount Road Madras-600 022.	1020/75.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

मई विली, 27 मई, 1986

का. धा. 2190:—यह: पेट्रोलियम और खनिज पाइप लाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपचारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिकृतता का, धा. सं. 956 तारीख 22-2-86 हारा केन्द्रीय सरकार ने उस अधिकृतता से संलग्न अनुमूली में विनिर्दिष्ट

भूमियों में उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अंजित करने का अपना आशय घोषित कर दिया था।

और यह: संसद अधिकारी ने उक्त अधिनियम की धारा 6 की उपचारा (1) के प्रश्नील सरकार को रिपोर्ट दे दी है।

और भाग, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिकृतता से संलग्न अनुमूली में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अंजित करने का विनियम किया है।

अब, अतः उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूचि में विनिर्विष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एवं द्वारा अधिसंकेत किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस प्रायोगिक में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजारी—बरेली—जगदीश्वर पाइप लाइन राज्य—गुजरात जिला—सुरत तालुका—बोयसी

गांव	सर्वे नंबर	हेक्टेडर	आर	सेटीयर
इच्छोपोर	959	0	05	00

[स. O-14016/546/86-जी. दी.]

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 27th May, 1986

S.O. 2190.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 956 dated 22-2-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd, free from encumbrances.

SCHEDULE

Pipeline from Hajiara-Bareilly-Jagdishpur

State : Gujarat District : Surat Taluka : Choriyasi

Village	Survey No.	Hec-tare	Are	Centiare
Ichhapore	959	0	05	00

[No. Q-14016/546/86-GP]

का.आ. 2191:—यह: पेट्रोलियम और अनिज पाइप लाइन (भूमि में उपयोग के प्रधिकार का अर्जन) प्रधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का.आ.स. 91 तारीख 30-12-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूचि के विनिर्विष्ट भूमियों के उपयोग के प्रधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यह: सर्थम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 को उपधारा (1) के अधीन सरकार को रिपोर्ट के दी है।

और आगे यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर वेचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूचि में विनिर्विष्ट भूमियों में उपयोग का प्रधिकार अर्जित करने का विनियमन किया है।

अब अतः उक्त प्रधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूचि में विनिर्विष्ट उक्त भूमियों में उपयोग के प्रधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एवं द्वारा अर्जित किया जाता है।

और आगे उस धारा की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण द्वारा, में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख में निहित होगा।

जंशाम पाइप (पी. 221) से एन.टी.पी.सी. सोकेशन अस्ता संक पाइप लाइन बिछाने के लिए राज्य विजयपुर (म.प्र.) राजस्थान जिला कोटा-तहसील भांगरोल सम्म सुहसील घंटा

गांव	बसरा सं.	हेक्टर	आर	सेटीयर
सोरखज़कला	1098	0	55	55
	1120	0	23	81
	1121	0	28	27
	1122	0	67	48
	1378	0	10	22
	1380	0	06	18
	1381	0	15	92
	1382	0	43	23
	1387	0	19	01
	1401	0	06	18

[स. जी-14016/524/85-जीपी]

S.O. 2191.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 91 dated 30-12-85 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction Point (P.221) to NTPC Location Anta

State : Rajasthan District : Kota Tehsil Mangrol Sub. Teh. Anta

Village	Survey No.	Hec-tare	Acre	Cen-tiare
Sorkhandkala	1098	0	55	55
	1120	0	23	81
	1121	0	28	27
	1122	1	67	48
	1378	0	10	22
	1380	0	05	18
	1381	0	15	92
	1382	0	43	23
	1387	0	19	01
	1401	0	06	18

[No. O-14016/524/85-G.P.]

का. घो. 2192:—यतः पेट्रोलियम और खनिज पाइप लाइन (दूसि में उपयोग के अधिकार का वर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिकृतना का आ.सं. 93 तारीख 30-12-85 द्वारा केन्द्रीय सरकार ने उस अधिकृतना से तंत्रजन अनुमूली में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का आनंद आज्ञा घोषित कर दिया था।

और, यस धारा 6 की उक्त अधिनियम की धारा 6 की उप धारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिकृतना से संतुलन अनुमूली में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एनद्वारा घोषित करती है कि इस अधिकृतना में गंतव्य अनुमूली में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एनद्वारा अर्जित किया जाता है।

और आगे उस धारा की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उस भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निक्षित होने के बाजाय भारतीय गैस प्राधिकरण लि. में सभी आधारों से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख में निहित होगा।

अमुग्धर्ष

विजयपुर जंबशन पाइप (पी. 221) एन.टी.पी.सी लोकेशन अन्ता तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : मांगरोल सब तहसील : अंसा

गांव	खसरा नं.	हेक्टर	प्रार सेटीमार
काचरी	267	0	02 85
	268	0	12 12
	268	0	04 75
	269	0	53 46
	270	0	01 81
	271	0	23 62
	272	0	56 51
	284	0	00 03
	283	0	20 20
	282	0	26 96
	281	0	32 08
	278	0	03 21
	352	0	31 65
	351	0	02 56
	346	0	84 15
	361	0	35 59
	362	0	13 55
	363	0	70 80
	369	0	29 95
	370	0	04 51

[सं. घो-14016/525/85-जीपी]

S.O. 2192.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 93 dated 30-12-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction Point (P. 221) to NTPC
Location Anta

State : Rajasthan, District : Keta, Tehsil : Mangrol
Sub-Tehsil : Anta

Village	Survey No.	Hec-tare	Are	Centiare
Kachri	276	0	02	85
	266	0	12	12
	268	0	04	75
	269	0	53	46
	270	0	01	81
	271	0	23	62
	272	0	56	51
	284	0	00	03
	283	0	20	20
	282	0	26	96
	281	0	32	08
	278	0	03	21
	352	0	31	65
	351	0	02	56
	346	0	84	15
	361	0	35	59
	362	0	03	55
	363	0	70	80
	369	0	29	95
	370	0	04	51

[No. O-14 16/525/85-GP]

का. आ. 2193.—यह: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का व्यापक) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिकृतना का.आ.स. 231 तारीख 17-1-86 द्वारा केन्द्रीय सरकार ने उस अधिकृतना से संलग्न अनुसूची में विनियिष्ट भूमियों के उपयोग के प्रधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए व्यापक करने का अपना आशय घोषित कर दिया था।

और, यह: सकाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों में उपयोग का प्रधिकार व्यक्त करने का विनियम किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवक्त शक्ति का प्रयोग करने के लिए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग के प्रधिकार पाइपलाइन विछाने के प्रयोजन के लिए एवं द्वारा व्यक्त किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार ने निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख में निहित होगा।

अनुसूची

जंगल पाइप (पी. 221) से एन.टी.पी.सी. अन्ता तक पाइपलाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा सहस्राल : बांरा

गाँव	खसरा नं.	हेक्टर	घार	सेंटीमीटर
राजपुरा	3	0	14	10
	2	0	40	80
	1	0	08	19

[सं. नं.-14016/527/80-जीपी]

S.O. 2193.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 231 dated 17-1-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction Point (P. 221) to N.T.P.
C. Anta

State : Rajasthan, District : Keta, Tehsil : Baren

Village	Survey No.	Hec-tare	Are	Centiare
Rajpura	3	0	14	10
	2	0	40	80
	1	0	08	40

[No. O-14016/527/86-GP]

का.पा. 2194.—यह: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का व्यापक) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिकृतना का.आ.स. 230 तारीख 17-1-86 द्वारा केन्द्रीय सरकार ने उस अधिकृतना से संलग्न अनुसूची में विनियिष्ट भूमियों के प्रधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए व्यापक करने का अपना आशय घोषित कर दिया था।

और, यह: सकाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुमती में विनिविष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनियम किया है।

अब यह: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुमती में विनिविष्ट उक्त भूमियों में उपयोग के अधिकार पाइप लाइन बिलासे के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और यह: उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस सारीख में निहित होगा।

अनुमती

जाक्षन पाइप (पा. 221) से एन.टी.पी.सी. अंता तक पाइपलाइन बिलासे के लिए

राज्य : राजस्थान ज़िला : कोटा तहसील : बांता

गाँव	बसरा नं.	हेक्टर	मार	सेटीमीटर
बोरडी	4/596	0	00	56
	20/599	0	03	20
	20	0	12	64
	22	0	04	48
	21	0	68	12
	23	0	21	60
	33	0	01	80
	47	0	10	36
	49	0	33	00
	86	0	01	76
	88	0	03	60
	89	0	37	92
	90	0	00	48
	87	0	08	00
	19	0	06	08

[स. ओ-14016/528/86-जीपी]

S.O. 2194.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 230 dated 17-1-1986 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power ~~conferred~~ by sub-section (1) of Section 6 of the said ~~Central~~ Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction Point (P. 221) to NTIC Anta

State : Rajasthan District : Kota Tehsil : Baren

Village	Survey No.	Hectare	Acre	Centiares
Bordi	4/596	0	00	56
	20/599	0	03	56
	20	0	12	64
	22	0	04	48
	21	0	68	12
	23	0	21	60
	33	0	01	80
	47	0	10	36
	49	0	33	00
	86	0	01	76
	88	0	03	60
	89	0	37	92
	90	0	00	48
	87	0	08	00
	19	0	06	08

[No. O-14016/528/86-GP]

का.पा. 2195.—यह: पेट्रोलियम और गैसनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (सन 1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का.पा.सं. 229 सारीख 17-1-86 द्वारा केन्द्रीय सरकार से उस अधिसूचना से संलग्न अनुमती में विनिविष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों के बिलासे के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यह: सकाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुमती में विनिविष्ट भूमियों में उपयोग का अधिकार अर्जित करने का यिनियम किया है।

अब यह: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुमती में विनिविष्ट उक्त भूमियों में उपयोग के अधिकार पाइपलाइनों बिलासे के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस सारीख में निहित होगा।

मनुसूची

अंकशन पाइप (पी. 221) से एन.टी.पी.सी. अंका तक पाइपलाइन विभाग
के लिए

राज्य :	राजस्थान	ज़िला :	कोटा	तहसील :	बारा
वार्ष	खसरा नं.		हेक्टर	आर	सेंटीमीटर
Bada	1928		0	03	30
	1931		0	35	70
	1932		0	55	80
	1933		0	22	66
	1917		0	78	84
	1926		0	01	98
	1947		0	00	74
	1943		0	00	16
	1935		0	04	82

[सं. ओ-14016/529/86-जीपी]

S.O. 2195.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 229 dated 17-1-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction Point (P. 221) to N.T.P.C.
Anta

State: Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centi-metre
Bada	1928	0	03	30
	1931	0	35	70
	1932	0	55	80
	1933	0	22	66
	1917	0	78	84
	1926	0	01	98
	1947	0	00	74
	1943	0	00	16
	1935	0	04	82

[No. O-14016/529/86-G.P.]

का. आ. 2195.—यह ऐत्रिलियम और जमियत पाइपलाइन (भूमि में उपयोग के प्रधिकार का वर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऐत्रिलियम संसाधन की अधिसूचना का.आ.सं. 228 तारीख 17-1-1986 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिश्चित भूमियों के उपयोग के प्रधिकार को पाइपलाइनों को विभागे के प्रयोजन के लिए अधित करने का अपना आसद भौतिक कर दिया था।

और, यह: सभग प्राधिकारी ने उक्त अधिनियम की धारा 8 की उपधारा (1) के अधीन सरकार ने रिपोर्ट पर विचार करने के पश्चात् हर अधिसूचना में संलग्न अनुसूची में विनिश्चित भूमियों में उपयोग का प्रधिकार अंजित करने का विनिश्चय किया है।

प्रब्लेम: उक्त अधिनियम की धारा 8 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि हर अधिसूचना में संलग्न अनुसूची में विनिश्चित उक्त भूमियों में उपयोग के प्रधिकार पाइपलाइनों के विभागे के प्रयोजन के लिए उपद्वारा अंजित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेद्य देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में मिहित होने के बायाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से भुक्त रूप से घोषणा के प्रकाशन की इस तरीख से निहित होगी।

अनुसूची

अंकशन पाइप (पी. 221) से एन.टी.पी.सी. अंका तक पाइपलाइन विभाग
के लिए

राज्य :	राजस्थान	ज़िला :	कोटा	तहसील :	बार
वार्ष	खसरा नं.		हेक्टर	आर	सेंटीमीटर
आकिर्णी	654		0	02	88
	656		0	22	72
	657		0	21	12
	659		0	38	72
	663		0	32	00
	661		0	28	16
	674		0	21	92
	680		0	18	08
	676		0	04	64
	679		0	03	84
	677		0	17	76
	893		0	03	84
	892		0	09	12
	896		0	07	68
	894		0	44	00
	895		0	02	56
	870		0	22	72
	869		0	07	36

[सं. ओ-14016/530/86-जीपी]

S.O. 2196.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 228 dated 17-1-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified

in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction point (P221) to NTPC, Agra

State : Rajasthan District : Kota Tehsil Baran

Village	Survey No.	Hec-tare	Are	Centiare
Ankedi	654	0	02	88
	656	0	22	72
	657	0	21	12
	659	0	38	72
	663	0	32	03
	661	0	28	16
	674	0	21	92
	680	0	18	03
	676	0	04	64
	679	0	03	84
	677	0	17	76
	893	0	03	84
	892	0	09	12
	896	0	07	68
	894	0	44	00
	895	0	02	56
	870	0	22	72
	869	0	07	36

[No. O-14016/530/86-GP]

का.आ.सं. 2197:—यतः पेट्रोलियम और खनिज पाहप लाइन मूमि में उपयोग के प्रधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का.आ.सं. 227 तारीख 17-11-86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुमती में विनिरिट भूमियों के उपयोग के प्रधिकार को पाहप लाइनों को बिछाने के प्रयोजन के लिए अंजित करने का अपना आशय घोषित कर दिया था।

और, यतः सक्रम प्राधिकारी ने उका अधिनियम की धारा 6 की उपधारा (1) के अंतर्वान सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करके पक्षबात् अधिसूचना से संलग्न अनुमती में विनिरिट भूमियों में उपयोग का प्रधिकार अंजित करने का विनिश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त प्रतिक्रिया का प्रयोग करते हुए केन्द्रीय सरकार एतत्त्वात् घोषित करती है कि इस अधिसूचना में संलग्न अनुमती में विनिरिट उक्त भूमियों में उपयोग के अधिकार पाहप लाइन बिछाने के प्रयोजन के लिए एवं उपयोग के अधिकार अंजित किया जाता है।

और आगे उग धारा की उपधारा (4) द्वारा प्रदत्त अधिनियम का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण नि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख में निहित होगा।

जंगलन पाइट (पी. 221) एन.टी.पी.सी. अन्ता एक पाईप लाइन बिछाने के लिए

राज्य गांव	राजस्थान गांव	जिला जसरा में.	कोटा हैक्टर	तहसील आर	मार्गरोल सेटीमार
पलसाथा		12		0	01
		20		0	00
		11		0	00
		13		0	06
		14		0	19
		15		0	24
		16		0	51
		48		0	05
		10		0	13
		49		0	11
		10/688		0	01
		50		0	01
		52		0	13
		51		0	48
		53		0	62
		75		0	12

[म. अं 14016/532/86 जीप]

S.O. 2197.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 227 dated 17-1-1986 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction point (P.221) to NTPC
Anta

State : Rajasthan District : Kota Tehsil Mangrol

Village	Survey No.	Hec-tare	Are	Centiare
Pulsawa	12	0	01	76
	20	0	00	19
	11	0	00	38
	13	0	05	98
	14	0	19	31
	15	0	24	79
	16	0	51	41
	48	0	05	53
	10	0	13	03
	49	0	11	90
	10/688	0	01	96
	50	0	01	18
	52	0	13	21
	51	0	48	16
	53	0	62	11
	75	0	12	87

[No. O-14016/532/86-GIP.]

का, आ. 2198:—यह: पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का प्रबंधन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपचारा (1) के अधीन भारत सरकार के पेट्रोलियम निवालय की अधिसूचना का आ.स.स. 232 तारीख 17-1-86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुमूली में विनिश्चित भूमियों के उपयोग के अधिकार को पाइप लाइनों की विलेने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यह: सदम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुमूली में विनिश्चित भूमियों में उपयोग का अधिकार अर्जित करने का विनियम किया है।

अब इन: उक्त अधिनियम की धारा 8 की उप धारा (1) द्वारा प्रदत्त शक्ति का प्रयोग भारते हुए केन्द्रीय सरकार एवं द्वारा धोषित करती है कि इस अधिसूचना में संलग्न अनुमूली में विनिश्चित उक्त भूमियों में उपयोग के अधिकार पाश्चात्य लाइनों के प्रयोजन के लिए एवं द्वारा अर्जित किया जाता है।

और आगे इस धारा की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय मार्गीय हैं स प्राधिकरण वि. में सर्वी वाधाओं में मूल रूप से घोगण के प्रकाशन की इस भारीता में निहित होगा।

अनुमूली

जंबशन पाइप (पी. 221) से एम.टी.पी.सी. भरता तक पाईप लाइन विलाने के लिए

राज्य	राजस्थान	जिला	कोटा	सहस्रील	मांगरोल
गांव	खसरा नं.	हेक्टर	भार	सौंदीआर	
दाढ़री कामाजी	32	1	01	84	
	31/528	0	04	77	
	31	0	02	01	
	30	0	03	66	
	29	0	82	60	
	25	0	35	71	
	22	0	35	00	
	23	0	21	75	
	24	0	06	02	
	17	0	23	99	
	16	0	00	80	
	14	0	04	83	
	15	0	13	98	
	13	0	00	10	
	85	0	11	60	
	86	0	01	91	
	88	0	20	75	
	91	0	00	94	
	90	0	03	01	
	87	0	04	38	
	89	0	13	85	
	147	0	03	70	
	146	0	00	10	
	145	0	02	82	
	148	0	10	03	
	141	0	04	52	
	140	0	01	13	
	142	0	09	38	
	139	0	16	92	
	130	0	12	66	
	129	0	01	88	
	128	0	02	11	
	126	0	15	37	
	127	0	01	58	
	122	0	02	61	
	401	0	32	42	
	400	0	07	39	
	405	0	08	58	
	406	0	10	84	
	410	0	00	20	
	407	0	07	03	
	409	0	10	73	
	408	0	10	73	
	455	0	23	40	
	410	0	25	37	

[सं. ओ-14016/533/86-जीर्णी]

S.O. 2198.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 232 dated 17-1-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act

1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Junction point (P.221) to NTPC Anta

State : Rajasthan District : Keta Tehsil Mangrol

Village	Survey No.	Hectare	Acre	Cen- tiare
1	2	3	4	
Dabri Kakaji	32	1	01	74
	31/528	0	04	87
	31	0	02	01
	20	0	03	66
	29	0	82	60
	25	0	35	71
	22	0	35	00
	23	0	21	75
	24	0	06	02
	17	0	23	99
	16	0	00	80
	14	0	04	83
	15	0	13	98
	13	0	00	10
	85	0	11	60
	86	0	01	91
	88	0	20	75
	91	0	00	94
	90	0	03	01
	87	0	04	38
	89	0	13	85
	147	0	03	70
	146	0	00	10
	145	0	02	82
	148	0	10	05
	141	0	04	52
	140	0	01	13
	142	0	09	38
	139	0	16	92
	130	0	12	66

1	2	3	4
Dabri Kakaji	129	0	01
	128	0	02
	126	0	15
	127	0	01
	122	0	02
	401	0	32
	400	0	07
	405	0	08
	406	0	10
	410	0	00
	407	0	07
	402	0	10
	408	0	10
	455	0	23
	410	0	25

[No. O-14016/533/86-GP]

का. आ. 2199.—यतः पेट्रोलियम और बनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 954 तारीख 22-2-86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिष्ट भूमियों में उपयोग के अधिकार को पाइप लाईनों को विभाने के लिए अर्जित करने का अपना प्राशाय घोषित कर दिया था।

और यतः सक्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिमय किया है।

प्रब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) वारा प्रवत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन विभाने के प्रयोजन के सिए एतद्वा प्रार्जित किया जाता है।

और आगे उस धारा की उपधारा (4) वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेज और प्राकृतिक रूप सायोग में, सभी आधारों में मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजीरा—बरेली—जगदीशपुर पाइप लाईन
राज्य—गुजरात जिला—सूरत —तालुका—बायांसी

गांव	सर्वे नंबर	क्षेत्रदर	आर	सेंटीयर
मालुपुर	72, 73			
	75, 76,			
	137, 136,			
	136, 134		02.	80
	133, 132,			00
	121			

[म. आ. 14016/544/86-वी.पी.]

S.O. 2199.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 754 dated 22-2-86 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd, free from encumbrances.

SCHEDULE

Pipeline from Hajira-Bareilly-Jagdishpur

State : Gujarat District : Surat Taluk : Choriyansi

Village	Survey No.	Hec-tare	Are	Cen-tiare
Bhatpor	71,73, 75, 76, 137, 136, 135, 134, 133, 131,	02	80	00
	131			

[No. O-14016/544/86-GP]

का. आ. 2300:—यह पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का प्रावैन) अधिनियम, 1962 (1962 का 50 की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का, आ. सं. 955 तारीख 22/./86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप लाइनों को बिभाने के लिए प्रभित करने का प्रयत्न आशय घोषित कर दिया था।

और यह: सरकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दें दी है।

और आगे, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न प्रभुत्व में विनिर्दिष्ट भूमियों में उपयोग का अधिकार प्रभित करने का विनिश्वय किया है।

अब, यह: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त विवित का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न भनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिभाने के प्रयोगन के लिए एवं द्वारा प्रभित किया जाना है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त विवितयों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की अवाय तेज और प्राकृतिक रौप्य भावग में, सभी बाधाओं से मुक्त स्पष्ट में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

भनुसूची
हजारा—बरेली—जगदीशपुर पाइप लाइन
राज्य—गुजरात जिला—सूरत तालुका—चोरियासी

गांव	राबनेन्द्र	हेक्टर	आर	सेटीयर
1	2	3	4	5
कपास	291, 290, 289, 287, 288, 286, 285, 284, 283, 282, 281, 279, 278	02	00	00

[सं. ओ-14016/545/86-जी. फी.]

S.O. 2200.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 755 dated 22-2-86 under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd, free from encumbrances.

SCHEDULE

Pipeline from Hajira-Bareilly-Jagdishpur

State : Gujarat District : Surat Taluk : Choriyansi

Village	Survey No.	Hec-tare	Are	Cen-tiare
Kawas	291, 290, 289, 287, 288, 286, 285, 284, 283, 282, 281, 279, 278	02	00	00

[No. O-14016/545/86-GP]

का. आ. 220।—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन घटितियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के पेट्रोलियम वंतवालय की अधिसूचना का. आ. सं. 1287 तारीख द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों की बिछाने के प्रयोजन के लिए अर्जित करने का ग्रपका धारक घोषित कर दिया था।

और, यतः सदम प्राधिकारी ने उक्त अधितियम की धारा 6 की उप-धारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और यांगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर मिचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनियम किया है।

अथ यतः उक्त अधितियम की धारा 6 की उप-धारा (1) द्वारा प्रदत शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त भूमियों में उपयोग के अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और यांगे उस धारा की उप-धारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस-प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख से निहित होगा।

विजयपुर (म. प्र.) जाशन पाईट लाइन (मि/221) से एवं दी दी सी सी लोकेशन अंता तक पाइप लाइन बिछाने के लिए राज्य : राजस्थान जिला : कोटा तहसील : मोगरोल सब तहसील : भंता

गांव	खसरा नं.	हेक्टर	आर	सेंटीयार
1	2	3	4	5
टारडा	1*	0	05	12
	2	0	29	81
	4	0	01	41
	5	0	18	77
	6	0	07	73
	7	0	09	84
	10	0	00	20
	11	0	05	82
	95	0	01	91
	96	0	21	08
	97	0	48	57
	98	0	14	30
	100	0	43	86
	106	0	88	42
	112	0	12	75
	114	0	09	37
	115	0	17	11
	116	0	01	25
	117	0	06	62
	118	0	00	20
	123	0	07	95
	129	0	58	61
	192	0	58	40
	193	0	25	05

1	2	3	4	5
213	0	01	98	
214	0	50	31	
215	0	02	99	
216	0	25	68	
219	0	30	51	
221	0	28	36	
223	0	33	37	
224	0	38	24	
248	0	02	41	
818	0	06	57	

[सं. अ-14016/540/86-पी. पी.]
एम. एस. शीनिवासन, गिरिधार (एन.जी.)

S.O. 2201.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1287 dated under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE
Pipeline from Junction point (P.221) NTPC
Location Anta

State : Rajasthan District : Kota Tehsil

Village	Survey No.	Hec tare	Arc	Centi- tiare
1	2	3	4	5
Tarda	1	0	05	12
	2	0	29	81
	4	0	01	41
	5	0	18	77
	6	0	07	73
	7	0	09	84
	10	0	00	20
	11	0	05	82
	95	0	01	91
	96	0	21	08
	97	0	48	57
	98	0	14	30

1	2	3	4	5
	100	03	43	86
	106	0	88	42
	112	0	12	75
	114	0	09	37
	115	0	17	11
	116	0	01	25
	117	0	06	62
	118	0	00	20
	123	0	07	95
	129	0	58	61
	192	0	58	40
	193	0	25	05
	213	0	01	98
	214	0	50	31
	215	0	00	99
	216	0	15	88
	219	0	30	51
	221	0	28	36
	223	0	33	37
	224	0	38	24
	248	0	02	41
	818	0	06	57

[No. O-14016/540/86-GP]

M.S. SRINIVASAN, Director (N.G.)

परिवहन मंत्रालय

(नागर विभाग विभाग)

नई दिल्ली, 21 मई, 1986

का. आ. 2202:—सूचीय विमानपत्तन प्राधिकरण प्रधिनियम, 1985 (1985 का 64) की धारा 3 की उपधारा (3) द्वारा प्रवत शक्तियों का उपयोग करते हुए, केन्द्रीय सरकार, एटद्वारा, इस समय नागर विभाग के महानिदेशक के ह्य में कार्य कर रहे एवं वार्षिक सी. के. एम. राजे को उनके द्वारा पद का कार्यभार ग्रहण करने की तारीख से तीन वर्ष की प्रवधि के लिए, प्रमुखी "क" के (रुपए 4500-5000) वैलमास में, राजीय विभाग पत्तन प्राधिकरण में पूर्णकालिक भव्यता नियुक्त करती है।

[संख्या ए-12022/1/86-पी. ई. (ए. ए. ए.)]

अनिल बैजल, विवेक

MINISTRY OF TRANSPORT

(Department of Civil Aviation)

New Delhi, the 21st May, 1986

S.O. 2202.—In exercise of the powers conferred by sub-section (3) of section 3 of the National Airports Authority Act, 1985 (64 of 1985), the Central Government hereby appoints Air Marshal C. K. S. Raje, presently working as Director-General of Civil Aviation as a whole-time Chairman of the National Airports Authority in the Schedule 'A' scale of pay of Rs. 4500—5000 for a period of three years from the date he assumes charge of the post.

[F: No. A-12022/1/86-VE (NAA)]

ANIL BAIJAL, Director

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 22 मई, 1986

का. आ. 2203:—स्थायी प्राविश संघरा 627, दिनांक 8 मार्च, 1986 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने लट्टेरि, कारिगिरि, आलंगायम तथा तिळचित्रमलम टेलीफोन केन्द्र, तमिलनाडु में दिनांक 09-06-1986 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[सं. 5-26/86-पी. एच. बी.]

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 22nd May, 1986

S.O. 2203.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951 as introduced by S.O. No. 627 dated 8th March 1960, the Director General, Department of Telecommunications, hereby specifies 09-06-1986 as the date on which the Measured Rate System will be introduced in Latteri, Karigiri Alangayam and Thiruchithrambalam Telephone Exchange, Tamil Nadu Telecom Circle.

[No. 5-26-86-PHB]

का. आ. 2204:—स्थायी प्राविश संघरा 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने चेलाकारा, मुल्लुकारा, आरतगोदूरुकरा, थाडाकावेरी, प्रणालाम तथा पेरावूर टेलीफोन केन्द्रों, केरला में दिनांक 09-06-1986 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[सं. 5-32/86-पी. एच. बी.]

S.O. 2204.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1961, as introduced by S.O. No. 627 dated 8th March 1960, the Director General, Department of Telecommunications, hereby specifies 09-06-1986 as the date on which the Measured Rate System will be introduced in Chelakara, Mullurkara, Arangotukara, Vadakkanchery, Aralam and Peravoor Telephone Exchanges, Kerala Telecom Circle.

[No. S-32/86-PHB]

का. आ. 2205:—स्थायी प्राविश संघरा 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने पेरुमलमली टेलीफोन केन्द्र, तमिलनाडु में दिनांक 09-06-1986 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[सं. 5-33/86-पी. एच. बी.]

के. पी. शर्मा, सदायक महानिदेशक (पी. एच. बी.)

S.O. 2205.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1961, as introduced by S.O. No. 627 dated 8th March 1960, the Director General, Department of Telecommunications, hereby specifies 09-06-1986 as the date on which the Measured Rate System will be introduced in Perumalmalai Telephone Exchange, Tamil Nadu Circle.

[No. 5-33/86-PHB]

K. P. SHARMA, Asst. Director General (PHB)

अम संचारालय

नई दिल्ली, 21 मई, 1986

का. आ. 2206:—मैसर्स बैंगन वैंगन स्टेट इंक्रोमिटी बोर्ड, 2 रिप्प रोड, कलकत्ता-700016 (इलू. शी./1870) (जिसे इसमें इसके पश्चात उस स्थान कहा गया है) ने नार्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, (1962 का 17) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है (जो धारा 17 की उपधारा 2क) के प्रधीन कृत विधे जैसे के लिए प्राविदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अधिनियम या प्रीमियम का संदाय किये जिए ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के प्रधीन जीवन बीमा के रूप में कायदे उड़ा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निवेश सहबद्ध बीमा स्कीम 1976 (जिसे इसमें इससे पश्चात् उक्त स्कीम कहा गया है), के अधीन उम्हें अनुज्ञेय हैं।

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की घारा 17 की उपधारा 2 का द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाय अनुमती में विनियिष्ट शरणों के अधीन रहते हुए उक्त स्थापन की तीन वर्ष की अवधि अवधि के लिए उक्त स्कीम के सभी उपलब्धों के प्रवर्तन से छूट देती है।

अनुमती

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक अधिकारी निविधायकन, बेस्ट बैंगाल को ऐसी विवरणियों भेजेगा और ऐसे लंबा रखेगा तथा निरीक्षण के लिए ऐसी सुविधायें प्रवान करेगा जो केन्द्रीय सरकार, समय-समय पर नियिष्ट करें।

2. नियोजक, ऐसी निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की घारा 17 की उपधारा 3 के द्वारा को अधीन समय-समय पर नियिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों संबंधी आविधि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियम की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उक्त संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसका मुख्य बातों का अनुवाद स्थापन के सूत्रों पर प्रवर्णित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी अविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की अविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम के संदाय के रूप में उसका नाम तुरत दर्ज करेगा और उसको आवृत्त प्रावश्यक प्रीमियम भारतीय जीवन बीमा नियम को संबंधित करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में भूमिका रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के प्रधीन उपलब्ध कायदे उन कायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी भाव के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उत्तर दशा में संदेय होती जब वह उक्त स्कीम के प्रधीन होता तो, नियोजक कर्मचारी के विविध वारिस/नाम निर्वैधिती को प्रतिकर के रूप में शोरों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन प्रादेशिक अविष्य निधि भायुकत बेस्ट बैंगाल के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हिस पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक अविष्य निधि भायुकत अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दिल्लीग स्पष्ट करें का मूल्यांकित प्रवर्तन देगा।

9. यदि किसी कारणबद्ध स्थापन के कर्मचारी भारतीय जीवन बीमा नियम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले प्रपत्त कुका है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीत से कम हो जाते हैं, तो यह रद्द, भी जा सकती है।

10. यदि किसी कारणबद्ध स्थापन नियत तारों के भीतर जो भारतीय जीवन बीमा नियम नियत करे प्रीमियम का संदाय करने में, अप्रकल्प रहता है और पालिसी को व्यवहरत हो जाने दिया जाता है तो, यह रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी अतिक्रम की दण में मृत सदस्यों के नाम निर्वैधितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तराधिकार नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इस स्कीम के प्रधीन ग्रान्ट वाले किसी सदस्य की मृत्यु होने पर उसके हक्कावार नाम निर्देशितियों/विधिक वारिसों को बांगाल रकम का संदाय, स्पष्टता से और प्रत्येक दशा में भारतीय जीवन बीमा नियम से अनुमोदन रकम प्राप्त होने के एक मास के भीतर अनुमित्त करेगा।

[सं. एस. 35014/165/S6 एस.एस II])

MINISTRY OF LABOUR

New Delhi, the 21st May, 1986

S.O. 2206.—Whereas Messrs. West Bengal State Electricity Board, 2 Ripon Street, Calcutta-700016 (WB)1870) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Act, 1952 (19 of 1952) (hereinafter referred to as the said Act.)

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, West Bengal maintain such accounts and provided such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premium transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whether an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in

his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding any thing contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employee shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, West Bengal and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Schedule are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/165/86 (SS II)]

का. घा., 2207.—गैरसर्व मध्य प्रदेश औद्योगिक विकास निगम लिमिटेड, वाचानन दूसरी मण्डिल, मालवीय नगर, खोपाल (एम. पी/ 3306) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकर्णी उपलब्ध अधिनियम, 1952 (1952 का 17) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की द्वारा 17 की उपधारा 2 (क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय भरकार का समाधान ही गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अधिकार या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन वीमा निगम की सामूहिक वीमा स्कीम के प्रधीन जीवन वीमा के रूप में कायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से अधिक अनुकूल हैं जो कर्मचारी निम्ने नहवद वीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के प्रधीन उद्देश्य हैं।

अतः केन्द्रीय भरकार, उक्त अधिनियम की द्वारा 17 की उपधारा-2के द्वारा प्रदत्त शक्तियों वा प्रयोग करते हुए और इससे उपानु अनुमूली में विनियिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को तीन वर्ष की अवधि के सिले, उक्त स्कीम के राहीं उपलब्धों के प्रवर्तन से छूट देती है।

प्रत्यक्षी

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रावेशिक भविष्य निधि आयुक्त, मध्य प्रदेश को एसी विवरणिया भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए सुविधापूर्वक आवेदन करेगा जो केन्द्रीय सरकार समय-समय पर निर्विचित करें।

2. नियोजक, ऐसे निरीक्षण प्रधारों का प्रत्येक मास की समीक्षा के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3के बाष्प के प्रधीन समय-समय पर निर्विचित करें।

3. सामूहिक वीमा स्कीम के प्रशासन में, जिसके प्रत्येक वीमा का संदाय, लेखाओं का अन्वरण, निरीक्षण प्रधारों का संदाय आदि भी है, होने वाले सभी व्ययों का बहुत कारोबार किया जाएगा।

4. नियोजन, केन्द्रीय भरकार द्वारा प्रत्योक्षित सामूहिक वीमा स्कीम नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भावधि में उसकी मुद्रा भारी व्ययों का अनुबाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का यह उक्त अधिनियम के प्रधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही मवस्था है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक वीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वाबन आवश्यक प्रीमियम भारतीय जीवन वीमा निगम को संवत्सर करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कायदे बाधाये जाते हैं तो, नियोजक सामूहिक वीमा स्कीम के प्रधीन कर्मचारियों की उपलब्ध कायदों में समुक्ति रूप से दृष्टि किये जाने की अवस्था करेगा जिससे कर्मचारियों के लिए सामूहिक वीमा स्कीम के प्रधीन उपलब्ध कायदे उन कायदों में से अधिक प्रत्यक्ष हो जो उक्त स्कीम के अधीन प्रत्यक्ष हैं।

7. सामूहिक वीमा स्कीम में किसी वास के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के प्रधीन संदाय रूप उस रकम से कम है जो कर्मचारी का उस वर्ष में संवेद्य होती जब वह उक्त स्कीम के अधीन होता हो, नियोजक कर्मचारी के विधिक वारिस नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक वीमा स्कीम के उपलब्धों में कोई भी संशोधन प्रावेशिक भविष्य निधि आयुक्त, मध्य प्रदेश के पूर्व प्रत्योक्षित के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वह प्रावेशिक भविष्य प्रायुक्त प्रपत्ता प्रत्यक्ष देने से पूर्व कर्मचारियों को अपना दृष्टि कोण स्पष्ट करने का युक्तियुक्त व्यवसर होगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन वीमा निगम को उस सामूहिक वीमा स्कीम के, जिसे स्थापन पड़ने प्राप्ता थुका है, अधीन नहीं रह जाता है यह इस स्कीम के अधीन कर्मचारीयों को प्राप्त होने वाले कायदे किसी तिथि से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश उस नियम तारीख के भीतर जो भारतीय जीवन वीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिमी को व्यवगत हो जाने दिया जाता है तो यह रद्द की जा सकती है।

11. नियोजक द्वारा प्रोमियम के संदाय में किये गये किसी व्यक्ति की इसमें उन मृत सदस्यों के नाम निर्देशितीयों या विधिक वारिसों को

जो मदि यह छूट न दी गई होती ही, उस स्कीम के प्रत्यार्थी श्रीते वीमा फायदों के संदाय का उत्तराधिकार नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इह स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हत्याकार नाम निर्दिष्टियों/विधियां वारिसों को वीमाकृत रूपमा फा संबाद तत्परता से और प्रत्येक दशा में भारतीय जीवन वीमा नियम से वीमाकृत रूपमा प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[स० एस. 36014/166/86/(एस एस) 2]

S.O. 2207.—Whereas Messrs. Madhya Pradesh Audyogik Vikas Nigam Limited, Panhanan, 2nd Floor, Malviya Nagar, Bhopal (MP) 3306 (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premium transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whether an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employee shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Schedule are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/166/86 (SS. 1)]

का. पा. 2208.—मैमर्स रामा कृष्ण कैमीकलज लिमिटेड, 1/22 ए रेलवे स्टेशन रोड, गांधीनगर, कुश्वाहा, प्रान्त प्रदेश (ए. पी. 6376) (जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कम्पनीरी प्रविधि निवि और प्रभीण उपचार्यान्वयन 1952 (1952 वा 17) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अधिकार या प्रीमियम का संदाय किये जिना ही, भारतीय जीवन वीमा नियम की सामृद्धिक वीमा स्कीम के अधीन जीवन वीमा के रूप में फायदे जठा रखे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से प्रधिक अनुकूल हैं जो कम्पनीरी निषेध संबद्ध वीमा स्कीम 1976 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उक्त अनुकूल हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा-2क द्वारा प्रदत्त प्रतिलिपियों का प्रयोग करते हुए और इसमें उपाय अनुसूची में विविध भारतीय वीमा नियम के अधीन रखते हुए, उक्त स्थापन के तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपवर्धों के प्रबन्धन में छूट देती है।

अनुमति

1. इन अधिनियम के सम्बन्ध में नियोजक प्रान्तीय भावाय निषिद्धान्वक्ता प्राप्ति प्रदेश वा एसो विधरणियों द्वारा आंश एवं ऐसे देखा रखेगा तथा निरीक्षण के लिए एसो मुविधाये प्रदान दर्शेगा जो केन्द्रीय सरकार, सभग समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संबाद दर्शेगा जो केन्द्रीय सरकार, उक्त अधिनियम की

धारा-17 की उपधारा ३ के ग्रन्थ भक्त के अधीन समय-समय पर निविष्ट होते।

३. सामूहिक बीमा स्कीम के प्रणाली में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय लेखाओं का अन्तरण, तिरीक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्यवहारों का बहन नियोजक बोगा दिया जाएगा।

४. नियोजन, केन्द्रीय भवार द्वारा अनुबोधित सामूहिक बीमा स्कीम के नियमों की एक पति और जब करी उन्हें संशोधन किया जाये, तब उन संशोधन को प्रति तथा कर्मचारियों की वटुसंघरा की भाषा में उसकी मूल्य वाताओं का अनुवाद स्थापन के मूल्यना पट्ट पर प्रदर्शित करेगा।

५. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निविष्ट का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निविष्ट का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उनका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

६. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे वाले जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिसमें कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से इधिक अनुकूल हो जो उक्त स्कीम के अधीन अनुशेष हैं।

७. सामूहिक बीमा स्कीम में किसी वाले के होते हुए भी यदि किसी कर्मचारी को, मूल्य पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती जब उक्त स्कीम के अधीन होता हो, तो, नियोजक कर्मचारी के विविध आर्सिस/ताम निर्देशित को प्रतिक्रिय के रूप में दोनों रकमों के अन्तर के बावजूद रकम का संदाय करेगा।

८. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन प्रारंभिक भविष्य निविष्ट आयुक्त आन्ध्र प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहा किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ आरेश्वर भविष्य निविष्ट आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण साझे करने का मुकियुक्त अवसर देगा।

९. यदि किसी कारणबन स्थापन के कर्मचारी भारतीय जीवन बीमा नियम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

१०. यदि किसी कारणबन नियोजन उन नियत तारीख के भीतर जो भारतीय जीवन बीमा नियम नियत करे, प्रीमियम का संदाय करने में अप्रकल्प रहता है और पालियो को व्यपत न हो जाने किया जाता है तो, छूट रद्द की जा सकती है।

११. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यतिक्रम की दशा में उन मूल सदस्यों के नाम निर्देशितियों या विविध बारिसों को जो यदि यह छूट दी गई होती हो, उक्त स्कीम के अन्तर्गत होते बीमा फायदों के संदाय का उल्लंघन नियोजक पर होगा।

१२. उक्त स्थापन के सदस्य में नियोजक इस स्कीम के अधीन आने वाले किसी सदस्य की मूल्य होने पर उसके हक्कावार नाम निर्देशितियों/विधिक बारिसों को बीमाकृत रकम का संदाय लाभरता से और प्रत्येक दशा में भारतीय जीवन बीमा नियम से बीमाकृत रकम प्राप्त होने के एक भास के भीतर सुनिश्चित करेगा।

[सं. एस. ३५०१४/१७०/८६ (एस. एस.-२)]

S.O. 2208.—Whereas Messrs. Ramakrishna Chemicals Limited, 1/22-A, Railway Station Road, Gaëdbhi Nagar, Cuddapah-516004 (A.P) (AP/6376) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employee's Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Andhra Pradesh maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whether an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employee shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Andhra Pradesh and where any amendment is likely to affect adversely the interest of the employees the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/170/86 (SS. II)]

का. आ. 2209.—मैसर्जिन जिला सहकारी केन्द्रीय बैंक, मर्यादित, छिंचवाडा, मध्य प्रदेश (एम. पी. /1133) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952¹ (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (3क) के प्रधीन छूट दिए जाने के लिए आवेदन किया है;

शौर केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभियाय या प्रीमियम का सन्दाय किए जिन ही, भारतीय जीवन बीमा नियम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो काफ़ी उठा रहे हैं वे ऐसे कर्मचारियों को उन काफ़ी दिए गए हैं जो उन्हें कर्मचारी नियम सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुसेध हैं;

अन्त : केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त महिलाओं का प्रयोग करने हुए शौर सामर सरकार के श्रम मंत्रालय की अधिगुच्छा संज्ञा का आ. 1698 नारीय 10-3-1983 के अनुसरण में और इसमें उपावद्ध अनुसूची में विर्तिदृष्ट शर्तों के अधीन रहने हुए उक्त स्थापन को, 26-3-1986 से नीन वर्ष की अवधि के लिए जिसमें 25-3-1989 भी मन्मिलित है, उक्त स्कीम के अभी उपलब्धियों के प्रत्यंत से छूट देती है।

अनुसूची

1. उक्त स्थापन के मन्त्रालय में नियोजन प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्विष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा और केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के प्रधीन समय-समय पर निर्विष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके प्रत्यंत लेखाभ्यांस का रखा जाना, विवरणियां का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय लेखाभ्यांस का अन्वरण निरीक्षण प्रभारों का सन्दाय प्राप्ति भी है, होने थाने सभी व्ययों का अहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुमत्या की आपांति में उसकी मुद्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के प्रधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही मद्दत्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज कर्या और उसकी बाबत आवाग्रहक प्रीमियम भारतीय जीवन बीमा नियम का सन्दर्भ करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों की उपबन्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के प्रधीन कर्मचारियों का उपबन्ध फायदों में गमुच्छ रूप से वृद्धि की जाने वी व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के प्रधीन उपबन्ध फायदे उन काफ़ी दूर करेगा, जो उक्त स्कीम के प्रधीन अनुज्ञय है।

7. सामूहिक बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश स्कीम उस रकम से कम है जो कर्मचारी को उस दशा में संत्रै होती जब वह उक्त स्कीम के प्रधीन देता है, तियोजक कर्मचारी के विधिक यात्र्या/नामनिर्देशियों को प्रतिकर के रूप में देता है, जो उक्त स्कीम के प्रधीन अनुज्ञय है।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश के पूर्व अनुसोदन के बिना नहीं किया जाएगा और अहीं किसी रांगोधन से कर्मचारियों के हिस्से पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त प्रक्रम देगा।

9. यदि किसी कारणबाट, स्थापन के कर्मचारी, भारतीय जीवन बीमा, नियम की उम सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है प्रधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले काफ़ी दिए रखने से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणबाट, नियोजक भारतीय जीवन बीमा नियम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यवधान हो जाने किया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यक्तिक्रम की दशा में, उन मृत मरणों के नामनिर्देशियों या विधिक बारिसों को जो यदि यह छूट न वीर्ह होती तो उक्त स्कीम के प्रत्यंत होने वाला काफ़ी दिए रखने से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

12. इस स्कीम के प्रधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम, बीमाकृत राशि के हक्कावार नामनिर्देशियों/विधिक बारिसों को उक्त स्कीम के प्रत्यंत होने वाला काफ़ी दिए रखने से कम हो जाने वाले की प्राप्ति के एक मास के भीतर मुनिष्चित करेगा।

[सं. एस-35014/181/86(एम एम 2)]

S.O. 2209.—Whereas Messrs Zila Sahakari Kendriya Bank, Maryadit, Chhindwara, M.P. (MP/1133) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in

the Ministry of Labour, S.O. 1698 dated the 10-3-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 26-3-1986 upto and inclusive of the 25-3-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh and maintain such accounts and provide facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whether an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employee shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of insurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the

said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/181/86 SS. II]

का.आ. २०।०.—मेरासं हुकमवद मिल निमिट्ट, पो. बा. न. १०७, अम्बीर-४५२००३, मध्य प्रदेश (एम पी. १ और १-ए) (जिसे इसमें हमके पापात् उक्त स्थापना कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रतिनियम, १९५२ (१९५२ ना १९) (जिसे इसमें हमके पापात् उक्त आधिनियम कहा गया है) की धारा १७ की उपधारा (२५) के पार्थीन सूत्र नियोजन के लिए आवेदन किया है;

और केन्द्रीय सरकार का सम्मान हो गया है कि उक्त स्थापना के अमंतारी किसी पृथक अधिनियम या प्रीमियम का मनदाय किए बिना श्री, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के स्तर में जो फायदा उठा रहे हैं वे ऐसे अमंतारीयों को उन कायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निधेय महबूब बीमा स्कीम, १९७६ (जिसे हमने इसके पश्चात् उक्त स्थापना कहा गया है) के अवधीन अनुचेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ का विवरण द्वारा और भारत सरकार के अमंतारीय की अधिसूचना संस्कार का.आ. १६३० तारीख ५-३-१९८३ के अनुसरण में और हमने उपर्युक्त अनुसूची में विविध शर्तों के अधीन रखे हुए उक्त स्थापन को, १९-३-१९८६ से तीन वर्ष की अवधि के लिए जिसमें १८-३-१९८९ श्री सम्मिलित है, उक्त स्कीम के मध्यी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि अनुकूल सध्य प्रदेश को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निर्धारण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारी का प्रत्येक मास की समाप्ति के १५ दिन के भीतर सदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ की उपधारा (३५) के खण्ड (क) के प्रधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रणाली में, भिन्ने अन्तर्गत लेखाओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का मनदाय लेखाओं का अन्तरण, निरीक्षण प्रभारी का मनदाय आदि भी है, इन वाले गमी अप्यों का बड़े नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति यथा कर्मचारियों की वहाँसंघ की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापना के सुवना-गुप्त पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के स्तर में उसका नाम तुरन्त दर्ज करेगा और उसकी बानक आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दर्भ करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्बित रूप से शुद्ध की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उक्त फायदों से प्रथिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संवेदन रखा जा रखा से कम है जो कर्मचारी को उस दशा में संदेश होती जब यह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक बारिस/तामनिवैधिकी को प्रतिकर के रूप में दोनों रूपों के अन्तर के बावर रखा का सन्दाय करेगा।

8. सामूहिक स्कीम के उपलब्धों में कोई भी संशोधन, प्रादेशिक विधिव्य विधि आयुक्त मध्य प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन के कर्मचारियों के द्वारा पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रादेशिक विधिव्य विधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना वृत्तिकोण स्पष्ट करने का युक्तियुक्त ध्वनि देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुना है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रह की जा सकती है।

10. यदि किसी कारणवश नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिती को व्यवस्था हो जाने दिया जाता है तो छूट रह की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यक्तिका की दशा में उन मृत सदस्यों के नाम निर्देशितियों या विधिक बारिसों को जो यदि मह, छूट न की गई होती तो उक्त स्कीम के अन्तर्गत होने, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हक्कदार नामनिवैधिकी/विधिक बारिसों को उस राशि का सन्दाय उत्पत्ता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[नंबर एम-35014/183/86-(एम एम-2)]

S.O. 2210.—Whereas Messrs The Hukum Chand Mills Limited, P.B. No. 107, Indore-452003 M.P. (MP/1 and I-A) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of life insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S. O. 1630 dated the 5-3-1983

and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 19-3-1986 upto and inclusive of the 18-3-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/183/86-(SS. 11)]

का.आ. 2211.—मैसर्स नियिम स्कीम, फॉर्ट ग्वालियर-474008 मध्य प्रदेश (एम.पी./4246) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और शक्तिशाली अनुबंध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम वा रावाय दिये बिना ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी नियेप सहबद बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उह अनुरूप हैं।

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा-2क द्वारा प्रदत् शक्तियों का प्रयोग करते हुए और इसमें उपावद अनुसूची में विनियिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन की तर्तु वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रक्रिया से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य नियिम आयुक्त, मध्य प्रदेश को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाये प्रशान करेगा जो केन्द्रीय सरकार, रामय-समय पर नियिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक भाग की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के खण्ड-क के अधीन समव नमय पर नियिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रणाली में, जिसके अन्तर्गत लेखाओं का द्वारा जाना, विवरणियों का प्रत्युत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का प्रत्यरूप, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति स्था कर्मचारियों की अनुसंधान की आपा में उत्तरामुख बातों का अनुवाद स्थापन के गूचना घट पर प्रवर्णित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम के मध्यस्थ के रूप में उसका नाम तुरत दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम को संदर्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों का उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों का उपलब्ध फायदों में समृद्धि रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुरूप हैं।

7. सामूहिक बीमा स्कीम में किसी बाद के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सदैय रकम उम रकम से कम है जो कर्मचारी को उगदा गया में बदेग होती है तब वह उक्त स्कीम के अधीन होना चाहिए, नियोजक कर्मचारी के विधि वारिस/नाम नियंत्रितीयों को प्रतिक्रिया के रूप में दोनों रकमों के अन्तर के बिचर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धी में कोई भी संशोधन प्रादेशिक भविष्य नियिम आयुक्त, मध्य प्रदेश के पूर्व अनुमोदन के बिना जहाँ जीवन और जहाँ किसी संशोधन में कर्मचारियों के लिए पर प्रतिक्रिया प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक भविष्य नियिम आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों का अपना दृष्टिकोण स्थाप्त करने का युक्ति-युक्त अवसर देगा।

9. यदि किसी कारणशर्त स्थापन के कर्मचारी भारतीय जीवन बीमा नियम की उस नियोजित बीमा स्कीम के, किसी स्थापन पहले आपना छुका है अर्धीन महा यह जाता है तो इस स्कीम के अर्धीन कर्मचारियों को शाप्त होने वाले फायदे किसी रूप से कम हो जाते हैं तो यह यह की जा सकती है।

10. यदि किसी कारणशर्त स्थापन के कर्मचारी भारतीय जीवन बीमा नियम की उस नियोजित बीमा स्कीम के, किसी स्थापन पहले आपना छुका है अर्धीन महा हो जाता है तो इस स्कीम के अर्धीन कर्मचारियों को शाप्त होने वाले फायदे किसी रूप से कम हो जाते हैं तो यह यह की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किसे गये किसी अतिक्रम की दशा में उन सूच सशस्त्रों के नाम नियंत्रितियों या विधिक वारिसों को जो यदि पूरे छूट न वी गई होती, तो, उक्त स्कीम के अन्तर्गत होते हैं। बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इन स्कीम के अधीन आने वाले हिसी सदस्य की मृत्यु दृंग पर उक्त द्रुक्वाद नाम नियंत्रितियों/विधिक वारिसों को बीमाकृत रकम का संदाय स्थपता से और प्रत्येक वासा में भारतीय जीवन बीमा नियम से अधिकृत रकम प्राप्त होने के एक मास के भीतर मुनिषित करेगा।

[स./एम-35014/171/86-(एसएस-2)]

S.O. 2211.—Whereas Messrs Scindia School, Fort, Gwalior-474008 (Madhya Pradesh) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of life insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Marhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/171/86-(SS. I)]

का.आ. 2212.—मैसर्संचमहल जिला को-ऑप्रेटिव बैंक लिमिटेड, गोधरा, पंचमहल (जी. जे./4659) (जिसे हमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रीण उपलब्ध अधिनियम,

1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिकार या प्रीमियम का सन्दाय किए बिना हो, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो कायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन कायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी नियोग सहबद्ध बीमा स्कीम, 1976 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुशेय हैं;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए और भारत सरकार के श्रम संसाधन की अधिसूचना संभाल का, आ. 3027 तारीख 13-8-1982 के अनुमति में और इसमें उपावद्ध अनुसूची में विनियिष्ट वार्तों के अधीन रहते हुए उक्त स्थापन को, 28-8-1985 से तीन वर्ष की अवधि के लिए जिसमें 27-8-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपलब्धों के प्रबंधन से छूट वेती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजित प्रावेशिक भविष्य निधि आयुष्मान, गुजरात को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार रामयन्मय पर निर्दिष्ट करे।

2. नियोजक, एसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संस्थाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के अंडे (क) के अधीन समयन्मय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिनके घन्तरंगत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उन संशोधन की प्रति तथा कर्मचारियों की वहुसंख्या की आपा में उसकी युक्ति वार्तों का धनुजाव, रथापन के गूचना-पट्ट पर प्रवर्णित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वाबन आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दर्भ दियेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे आते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्मिलित रूप से शुद्ध की जाने की व्यवस्था करेगा जिससे कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन कायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुशेय हैं।

7. सामूहिक बीमा स्कीम में किसी वाले के हाते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन लान्देय रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्वय होती जब यह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशीयी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बगबग रकम का सन्दाय करेगा।

8. सामूहिक स्कीमों के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संघीयता से कर्मचारियों के हित पर प्रसिद्ध लक्षण व पड़ने की संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पार्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना छुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले काफ़िरे किसी रीति से कम हो जाते हैं, तो यह छट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भाग्यतीय जीवन बीमा नियम नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को अवगत हो जाने दिया जाता है तो छट रद्द की जा सकती है।

11. नियोजक भाग प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह छट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा कार्यदों के सन्दाय का उत्तराधिक्य नियोजक पर होगा।

12. इस स्कीम के अधीन द्वाने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम, बीमारुक्त गणि के लक्षदार नामनिर्देशितियों/विधिक वारिसों को उस राशि का सन्दाय ताप्रता से और प्रत्येक दशा में हर प्रकार से पूर्ण वाचे की प्राप्ति के एक माम के भीतर सुनिश्चित करेगा।

[संख्या पार्ट-35014/184/86-(एसएस-2)]

S.O. 2212.—Whereas Messrs. Panchmahals District Co-operative Bank Limited, Godhra, Panchmahals, (GJ/4659) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of life insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3027 dated the 13-8-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 28-8-1985 upto and inclusive of the 27-8-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium, the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it complete in all respects.

[No. S-35014/184/86 (SS II)]

का.आ. 2213.—मैरम एडिशन ग्राहकीयन निमिटेड, टमकुर रोड, पो.आ. यशवन्नपुर, बैगलौर (के.पार्ट/868) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उआधारा (2क) के अधीन छट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समागम हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिकाय या ग्रीमियम का मन्दाय किए बिना ही, भारतीय जीवन वीमा निगम की जीवन वीमा स्कीम की सामूहिक वीमा स्कीम के अधीन जीवन वीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निषेप सशब्द वीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के इधीन अनुज्ञेय हैं।

अनुच्छेद: केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपस्थान 2(क) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के शम संकालय की अधिसूचना मंड्या का, आ. 332 तारीख 9-12-1982 के अनुसरण में और इससे उपायद अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 8-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 7-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक अधिकाय निधि आयुक्त कर्नाटक को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी मुविद्याएं प्रयान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक साम की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के अंडे (क) के अधीन समय-समय पर निर्दिष्ट करें।

3. सामूहिक वीमा स्कीम के प्रणाली में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का ग्रन्ति किया जाना, वीमा ग्रीमियम का सन्दाय लेखाओं का अनुसरण, निरीक्षण प्रभारों का सन्दाय प्राप्त भी है, इन्हें वाले भी व्यापारों का यहां नियोजक द्वारा किया जाएगा।

4. नियोजक, वेन्डीय सरकार द्वारा यथा अनुमोदित सामूहिक वीमा स्कीम के लियों स्थी एक प्रति, और जब कभी उन्हें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की अनुशंखों की भाग्य में उसकी भूम्भ वालों ना अनुवाद, स्थापन के मूलनामदृष्ट पर प्रदर्शित करेगा।

5. यदि कोई देश कर्मचारी, जो कर्मचारी अधिक्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की अधिक्य निधि का पहले ही मदद्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक वीमा स्कीम के सदस्य के रूप में उक्ता नाम तुलन दर्ज करेगा और उसकी वादन आपातक ग्रीमियम भारतीय जीवन वीमा निगम को सन्दर्भ करेगा।

6. यदि सामूहिक वीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे वहाये जाने हैं तो, नियोजक उक्त अधिक्य के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक वीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक वीमा स्कीम में किसी वाल के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर हम स्कीम के अधीन सन्वेद रकम उम रकम से कम है जो अमंचारी को उस दण में सन्देश होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का मन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक अधिक्य निधि आयुक्त कर्नाटक के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूप

प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भवित्व निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का अनुशंखन अद्यतना होगा।

9. यदि किसी कागणकाण, स्थापन के कर्मचारी, भारतीय जीवन वीमा निगम की उस सामूहिक वीमा स्कीम के, जिसे स्थापन पहले अपना चुना है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हों जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कागणकाण, नियोजक भारतीय जीवन वीमा निगम द्वारा नियन तारीख के भीतर प्रीमियम का सन्दाय करने में अमान रहता है, और पालिमी को अपग्रेड हो जाते दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की वजा में, उन मूल सदस्यों के नामनिर्देशितीयों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होने वीमा फायदों के सन्दाय का उपरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन वीमा निगम, वीमा आयुक्त राजि के हकदार नामनिर्देशितीय विधिक वारिसों को उस राशि का सन्दाय सप्तरता में और प्रत्येक दशा में दूर प्रकार से पूर्ण दाये की प्राप्ति के एक भाग के भीतर मुनिष्वित होता।

[गंगा एस-35014/182/86-(एस-१)]

S.O. 2213.—Whereas Messr. Indian Oxygen Limited, Tumkur Road, P.O. Yashwantapur, Bangalore (KN/868) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the employees' Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of life insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 332 dated the 9-12-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 8-1-1986 upto and inclusive of the 7-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Karnataka and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Karnataka and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. Within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/182/86-(SS. II)]

का. प्रा. 2214.—मैसेस हमरवर्स (बपक) लैबोरेट्रीज (इनियोजन) पो. बो. नं. 1507, हमरवर्स मार्ग, दिल्ली-110006 (शि.एल. /100) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रीय उपलब्ध भविष्यियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त भविष्यियम कहा गया है) की धारा 17 की उपाधा 2(क) के अधीन कृष्ट दिये जाने के लिए घोषित किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृष्ठक भविष्याय वा भविष्यियम का संदर्भ किये बिना ही, भारतीय भौतिक जीवन की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए वे

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फायदे उन कायदों से अधिक अनुकूल हैं जो कर्मचारी निषेष सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उक्त आयोजन हैं।

अतः उक्त भविष्यियम वी धारा 17 की उपाधा-2का हारा प्रदत्त स्थापितों का प्रयोग करते हुए और इससे उपलब्ध अनुकूलीन विनियोजित शर्तों के प्रधीन रहते हुए, उक्त स्थापन को तीन वर्ष वी भविष्यियम के लिए उक्त स्कीम के सभी उपलब्धों के प्रबंधन से कृष्ट देती है।

अनुसूची

I. उक्त स्थापन के सम्बन्ध में नियोजक प्रवेशिक भविष्य निधि इयाकृत, दिल्ली को ऐसी विवरणियां भेजेगा और ऐसे नेत्रा रखेगा तथा नियोजन के लिए ऐसी मुविधायें प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर नियिष्ट करे।

2. नियोजक, ऐसे नियोजन के प्रधारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संवाद करेगा जो केन्द्रीय सरकार, उक्त भविष्यियम की धारा-17 की इयाकृत 3-के अनुकूल के अधीन रामय रामय पर नियिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रणालीन में, जिसके अन्तर्गत सेवाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा भीमियम का संदर्भ, लेखाओं का अन्तरण, नियोजन प्रभारों संबंध इति भी है, होने वाले सभी व्यापों का अनुकूल द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उम संशोधन की प्रति तथा कर्मचारियों की अनुसंधान की भाषा में उसकी मुख्य बातों का अनुकूल स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त भविष्यियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम सदस्य के रूप में उसका माम तुरन्त बर्ज करेगा और उसकी बाबत आवश्यक भीमियम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन कायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुसूची हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेश रकम उस रकम से कम है जो कर्मचारी जो उस दशा में संदेश होती जब वह उक्त स्कीम के अधीन होता हो, सियोजक कर्मचारी के विधिक वारिस/नाम निवेशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बाबत रकम का संदर्भ करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन प्रावेशिक भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिना भर्ही किया जाएगा और जहा किसी संशोधन से कर्मचारियों के हित पर प्रतिकुल प्रभाव पहुँचे की संभावना हो, वहां प्रावेशिक भविष्य निधि आयुक्त अपन अनुमोदन देने से पूर्व कर्मचारियों को अपना वृद्धिकोण स्थित करने का युक्तियुक्त ब्रह्मतर देगा।

9. यदि किसी कारणबण स्थापन के कर्मचारी भारतीय जीवन बीमा नियम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों को अपन हीसे बाले फायदे किसी रीति से कम हो जाते हैं, तो यह रह की जा सकती है।

10. यदि किसी कार्यालय नियोजक उच्च नियम वागील के भौतिक औ भागीय जीवन बीमा नियम नियन्त्रण करें, प्राप्तियम का सदाय करने में असफल रहता है और पालिमी का अधिगत हो जाते दिया जाता है तो, छूट छूट की जा सकती है।

11. नियोजक द्वारा प्राप्तियम के सदाय में किये गये दिनी व्यवनिधियम की वज़ा में उन मूल सदस्यों के नाम निर्देशितियों या विधिय बाइमों को जो यदि यह छूट न दी गई होता तो, उनके स्वाम के अन्तर्गत होते। बीमा कार्यालय के संदाय का उत्तराधिकार नियोजक पर होता।

12. उच्च स्थापन के सम्बन्ध में नियोजक इग स्कीम के अधिकारी जो आंतर किसी सदस्य की मृत्यु होते पर उसके हकदार माम निर्देशितियों/विधिय बाइमों को बीमाकृत रकम का संदाय नहाता है तो और प्रत्येक दशा में भागीय जीवन बीमा नियम में बीमाकृत रकम प्राप्त होने के एक साम के भीतर मुनिषित करेगा।

[एम-35014/168/86(एमाय-2)]

S.O. 2214.—Whereas Messis Hamdard (WAKI) Laboratories (India) Post Box No. 1507, Hamdard Marg, Delhi-110006 (DL/100) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premium transfer of accounts payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to engage the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable and employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

(No. S-35014/168/86 (SS-II))

का. आ. 2215—मैमन घायर एंड पर्सनल लिमिटेड कार्पोरेट आर्थिक, मनकार 80, बेहूर लैम, नई दिल्ली-110019 (टी.एल./4569) (जिसे इसके पश्चात् उच्च स्थापन कहा गया है) ने कर्मचारी भवित्व मिध और प्रकीर्ण उत्तराधि प्रधितियम, 1952 का 17 (जिसे इसके पश्चात् उच्च अधिनियम कहा गया है) की अंतरा 17 की आधारा 2(क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का भावाधान हो गया है कि उच्च स्थापन के कर्मचारी, किसी पृथक भवित्व मा प्राप्तियम का सदाय किये जाना ही, भागीय जीवन बीमा नियम की सामूहिक बीमा सर्वाय से असीन जीवन बीमा के अप में कार्यदे उठा रहे हैं और ऐसे कर्मचारियों के लिये कार्यदे उन कार्यालय से अधिक अनुकूल हैं जो कर्मचारी निषेप सहबद बीमा स्त्रीम, 1976 (जिसे इसके पश्चात् उच्च स्मीम कहा गया है) के अधीन उन्हें अनुशेय है।

अतः केन्द्रीय सरकार, उच्च अधिनियम की आग 17 की उपचारा-2 का द्वारा प्रदत्त अनियंत्री का प्रोत्येक करने का और इससे उपचारा अनुसूची में विनियोग जाती के असीन रहने का, उच्च स्थापन को बीन बर्द की अवधि के लिये उच्च स्मीम ने असीन उपचारों के प्रबल्लन से छूट देनी है।

अनुसूची

1. उच्च स्थापन के सामूहिक में नियोजक प्रादेशिक भवित्व लिखि आयस, दिल्ली को देखी बिवरणिया भवेगा और ऐसे देखा रखेगा है।

नियोजक संघ द्वारा भुविधायें प्रदान करेगा जो केंद्रीय सरकार, गमय समय पर निर्दिष्ट करे।

2. नियोजक संघ मिरीक्षण प्रभारी का प्रत्यक्ष साम की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केंद्रीय सरकार, उनके अधिनियम की धारा-17 की उपचारग 3-के खण्ड-के अधीन गमय भवय पर निर्दिष्ट करे।

3. समूहिक बीमा लोन के प्रशासन ये, जिसके अन्तर्गत लोनात्मा का रहा जाना, विवरणियों का प्रस्तुत किया जाए, बीमा भविधायम का संदाय लेनार्थी का अन्तरण, नियोजक प्रभारी संदाय आवि भी है, हांत बांत मधी आयों का बड़त नियोजक द्वारा दिया जाएगा।

4. नियोजन, केंद्रीय सरकार द्वारा अनुमोदित भास्त्रिक बीमा स्कीम के नियमों की एक प्रति आर जब कभी उनमें संशोधन किया जाये तब उन शंखाधन की भवि वथा कर्मचारियों की बढ़ुसम्म की आवा में उनकी मध्य बातों का अनुवाद ग्राहण के सुन्नता पट्ट पर प्रदर्शित करेगा।

5. यदि कोई गोपा कर्मचारी जो कर्मचारी भविधाय निधि का या उनके अधिनियम के अधीन छठ प्राप्त किया जाए तो वो नियोजन समूहिक बीमा स्कीम के नदम्य के रूप में उसका नाम सूख्त दर्ज करेगा और उसकी आवत इत्यावश्यक प्राप्तियम भाग्तीय जीवन बीमा नियम की वंदन करेगा।

6. यदि उनके स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक समूहिक बीमा स्कीम के अधीन कर्मचारियों का उपलब्ध फायदों से सम्बद्धि है, में सम्बद्धि किये जाने की व्यवस्था करना गिरियों के कर्मचारियों के लिए भास्त्रिक बीमा स्कीम के अधीन उपलब्ध फायदे उन कानूनों से प्रधिक प्रत्यक्ष द्वारा जो उनके रूपमें के अधीन अनुद्योग हैं।

7. भास्त्रिक बीमा स्कीम में किसी बात के हांत हृण भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेश रकम उस रकम में कम है जो कर्मचारी को उस दशा में संदेश हाती अब वह उनके स्कीम के अधीन हाता हो, नियोजक कर्मचारी के विधिक वार्षिकों स्कीम नियोजित का प्रतिकर के रूप में दोनों रकमों के अन्तर के बावजूद रकम का संदाय करेगा।

8. भास्त्रिक बीमा स्कीम के उपलब्धि में कीट भी संशोधन प्राप्तिक भविधाय निधि आयुत, विद्यों के पूर्व अनुमोदन के लिए नहीं किया जाएगा और जहां किसी गणोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पहने की संभावना हो, वह प्राप्तिक भविधाय निधि आयुत अपना अनुमोदन देने में पूर्व कर्मचारियों को आगामी दाइटकोण खाड़ करने का गविन्युक्त अवसर देगा।

9. यदि किसी भाग्तीय आयुत के कर्मचारी भाग्तीय जीवन बीमा नियम को उस सामिक बीमा स्कीम के जिसे स्थापन पहले आगा चुका है अधीन नहीं रह जाता है तो इस स्कीम के अधीन कर्मचारियों को प्राप्त हाते वाले कायदे किसी भी रूप में कम हो जाते हैं, तो यह रह की जा सकती है।

10. यदि किसी कागजात नियोजक उम नियम नारीक के अधीन भी भाग्तीय जीवन बीमा नियम नियम करे, भविधायम का संदाय करने में प्रसफत रहता है और पालियों को अपयगन हो जाने दिया जाना है तो यह रह की जा सकती है।

11. नियोजक द्वारा प्रोमियम के संदाय में किये गये किसी व्यविधाय की दशा में उन भूत समझों के साम नियोजितियों या विधिक वारियों को विव वस्तु दृष्टि न हो गई होती हो, तब जीवन के अन्तर्गत होते हों। यहां कामधीयों के संदाय का उपरावधिय नियोजक पर होगा।

12. उक्त स्थान के सम्बन्ध में नियोजक इस स्कीम के अधीन ग्राने वाले किसी सदस्य की मृत्यु होने पर हक्कार नाम नियोजितियों/विधिक वारियों को बीमाहृत रकम का सदाय तत्परता से और प्रत्येक दशा में भाग्तीय जीवन बीमा नियम से बीमाहृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित रहेगा।

[म. एस-35014/169/86(एम. एस.-2)]

S.O. 2215. --Whereas Messrs Eicher Goodearth Limited, Corporate Office, Satkar, 80 Nehru Place, New Delhi-110019 (DL/4569) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act) ;

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme) :

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE:

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premium transfer of accounts payment of inspection charges etc, shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable and employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees the Regional Provident Fund Commissioner

shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/169/86 SS-II]

का. आ. 2216.—मैसर्स अपारेल एफ्सपोर्ट प्रोमोशन कोम्पनी, सहयोग बिल्डिंग, जौधी मंडिल 58, नेहरू प्लेस, नई दिल्ली (टी.एल./5545), (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रतीक्षा उपबन्ध अधिनियम, 1952 का 17 (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की वार्ता 17 की उपचारा 2(क) के प्रधीन छूट दिए जाने के लिए आवेदन किया है।

और केंद्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् प्रभिदाय या प्रीमियम का संशाम किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के प्रधीन जीवन बीमा के रूप में कायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से अधिक अनुकूल हैं जो कर्मचारी निकेप सहबद बीमा स्कीम, 1976 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के प्रधीन उन्हें अनुज्ञेय हैं।

आठ: केंद्रीय सरकार, उक्त अधिनियम की वार्ता 17 की उपचारा 2(क) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए और इससे उपबन्ध अनुसूची में विनियिष्ट शर्तों के प्रधीन रहते हुए, उक्त स्थापन को तोन वर्च की प्रवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रत्येक से छूट देती है।

अनुमूली

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रावेशिक भविष्य निधि आयुक्त, दिल्ली को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधायें प्रवान करेगा जो केंद्रीय सरकार, समय समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की रामायि के 15 दिन के भीतर संदाय करेगा जो केंद्रीय सरकार, उक्त अधिनियम की वारा-17 की उपचारा 3-क के खण्ड-क के प्रधीन समय समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रणालीन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संशाम, लेखाओं का अन्तरण, निरीक्षण प्रभारों संदाय प्राप्ति भी है, होने वाले सभी घट्यों का बहन नियोजक द्वारा दिया जाएगा।

4. नियोजक, केंद्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशाम किया जाए, तब उक्त संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उक्तकी मूल्य बातों का अनुबाद स्थापन के लिए प्रत्येक प्रति करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के प्रधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सत्रम्य है, उम्मीद स्थापन में नियोजित किया जाना है तो, नियोजन सामूहिक बीमा स्कीम के सदस्य के हाथ में उसका नाम भूरत दर्ज करेगा और उसकी बाजत आवश्यक प्रीमियम भारतीय बीमा निगम को भदल करेगा।

6. यदि उक्त स्कीम के प्रधीन कर्मचारियों को उपलब्ध कायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के इच्छीन कर्मचारियों द्वा उपलब्ध कायदों में सम्बन्धित रूप से बढ़ि किए जाने की व्यवस्था करेगा जिससे कर्मचारियों के लिए सामूहिक बीमा स्कीम के प्रधीन उपलब्ध कायदे उन कायदों से अधिक अनुकूल हों जो उक्त स्कीम के प्रधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में विसी बात के हांते हुए भी यदि किसी कर्मचारी की मूल्य पर इस स्कीम के प्रधीन संदेश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश होती जब वह उक्त स्कीम के प्रधीन होता है, नियोजक कर्मचारी के विधिक बारिस/नाम निर्वैशिती को प्रतिकर के रूप में दोनों रकमों के प्रधीन उक्तर के ब्रावार रकम का संदर्भ करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रावेशिक भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पहुंचने की संभावना हो, वहाँ प्रावेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युवित्युक्त अवधार देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम से, जिसे स्थापन पहले अपना लिया है या इस स्कीम के प्रधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीत से कम हो जाते हैं, तो यह रुप की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संशाय करने में प्रमाण रहता है और पालिमी को व्यवस्था हो जाते दिया जाता है तो, छूट रद्द भी जा सकती है।

11. नियोजक द्वारा प्रीमियम के संशाय में किए गए किसी व्यक्तिगत की दशा में उन मूल मवस्तों के नाम निर्वैशितीयों या विधिक बारिसों को जो यदि वह छूट न दी गई होती तो, उक्त स्कीम के अनुसांत होते। बीमा कायदों के संशाय का उत्तरवायिक नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इस स्कीम के प्रधीन आने वाले किसी सदस्य की मूल्य होने पर उसके हकदार नाम निर्वैशितीयों/विधिक बारिसों को बीमाकृत रकम का संशाय तप्तरता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[E. एस-35014/164/86(एस एस -2)]

S.O. 2216.—Whereas Messrs Apparel Export Promotion Council, Sahayog Building, 4th Floor, 58 Nehru Place, New Delhi-110019 (DL/5545) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit

Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme) ;

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable and employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure

prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/164/89 (SS-II)]

का. अ. २०१।—मैसरें ओम प्रकाश कोहनूँ चन्द्र मिस्टिक, ७/७ डी. बी. गुप्ता रोड, पहाड़गंज, नई दिल्ली-११००५५ (डी.एन./३२००) (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रीण उपबन्ध अधिनियम, १९५२ या १७ (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा १७ की उपधारा २क के अधीन छठ प्राप्ति के लिए आवेदन किया है।

ओर केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पुष्ट अभिदाय या प्राप्तियम का सदाय किए बिना ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी नियोग गढ़वाल बीमा स्कीम, १९७६ (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुमेय हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ की उपधारा-२क वारा प्रदत्त स्कीमों का प्रयोग करने द्वारा और इसरों ऊपर अनुसूची में विविध प्रतीकों के अधीन रहने द्वारा, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन में शुद्ध की जाएगी।

अनुसूची

1. उक्त स्थापन के माध्यम से नियोजक प्रांतिक भविष्य निधि ग्राहक, दिल्ली को ऐसी विवरणियां मिलेंगी और ऐसे तथा रखेंगा तथा नियोजन के लिए ऐसी सुविधायें प्रवान करेंगा जो केन्द्रीय सरकार, गमय समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे नियोजन ग्राहकों का प्रत्येक सास की समाप्ति के १५ दिन के भीतर संदर्भ करने जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-१७ की उपधारा ३-क के खण्ड-के अधीन समय समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रधानमें, जिसके अन्तर्गत लेन्द्राओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्राप्तियम का सदाय, ऐस्क्रामों का अलावण, नियोजन ग्राहकों सदाय आदि भी है, होते जाने सभी व्यापारों का अनुवाद द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उन संशोधन की प्रति तथा कर्मचारियों की बदुसङ्ग की भावा में उग्रकी मुश्य बातों का अनुवाद स्थापन के मूल्य पर प्रदर्शित करेगा।

5. यदि कर्मचारी बीमा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छठ प्राप्त किसी स्थापन की भविष्य निधि या पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजित सामूहिक बीमा स्कीम के सदस्य के रूप में उग्रकी गम सुन्नत दर्ज करेंगा और उसकी बाबत आवश्यक प्राप्तियम भारतीय जीवन बीमा नियम के मानन करेंगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किए जाने की व्यवस्था करेंगा जिसमें कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन प्रस्तुत हैं।

7. सामूहिक बीमा स्कीम में नियोजित लाते के दूसरे १० वां पर्याप्ति कर्मचारी को भूम्य पर इस स्कीम के अधीन सदैय रकम उस लात से कम

है जो कर्मचारी को उस दशा में संभव होती जब वह उस स्कीम के प्रधीन होता है, नियोजक कर्मचारी के विधिक वार्तासमाप्ति निर्विभासी को प्रतिक्रिया के रूप में दोनों रकमों के अन्तर ने बनाए रखने का लक्ष्य करेगा।

8. गामृहिक बीमा स्कीम के उपचार्यों में कोई भी समर्गाधन प्रादेशिक भविष्य निधि आयुक्त, दलिली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संघोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़े हों संभावना हो, वहाँ प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को आपना दृष्टिकोण स्पष्ट करने का वृक्षायक्षत अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा नियम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना खुक्का है, प्रधीन नहीं रह जाता है, या इस स्कीम के प्रधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीति से कम हो जाने हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उम्मीद नियत तारीख के भीतर जो भारतीय जीवन बीमा नियम निवार कर, प्रीमियम का मंदाव करने में असफल रहता है और पालिमी को व्यवगम हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के भवाय में किए गए किसी व्यविधि की दशा में उन मूल मदस्यों के नाम निर्विशितियों या विधिक आर्थिकों को जो यदि वह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते हैं। बीमा कार्यालयों के संशय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इस स्कीम के प्रधान अपने बाले किसी मदस्य की मृत्यु होने पर उसके हक्कदार नाम निर्विशितियों/विधिक आर्थिकों को बीमाहृत रकम का मंदाव तत्पत्ता से और प्रत्येक रुपा में भारतीय जीवन बीमा नियम से बीमाहृत रकम प्राप्त होने के एक मास के भीतर गुणित्वन करेगा।

[S. एम-35014/167/86(एम एम-2)]

S.O. 2217.—Whereas Messrs One Parkash Fateh Chand Limited, 717, D. B. Gupta Road, Paharganj, New Delhi-110055 (DL/3200) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi, maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (b) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhance, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable and employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/167/86 (SS-II.)]

नई दिल्ली, 27 मई, 1986

सं. एम-35014—कर्मचारी ग्राहक बीमा अधिनियम, 1948 (1948 वा 31) की धारा 1 की उपाया (3) द्वारा प्रदत्त विविधियों का प्रयोग रखने वाले कर्मचार एवं दूसरे परवानगा 1 जून, 1986 को उम्मीद ने भा. में फिल करती है जिसकी इस परिस्थिति में अधिक 1 (धारा 64 और 45 के मिशान जो पक्की ही प्रवृत्ति की जा चुनी है) भी दूसरे पर 5 और 6 (धारा 76 की उपाया 1) और धारा 77, 78, 79 और 81

६. विवाद औं पूछी ही दस्तावेज़ के लाभ नहीं है) में उल्लेख प्राप्त अंक ३ के निम्नलिखित दोनों में गठन दोनों प्रत्येक —

"दिवार किन में सहुम दोगा में पीढ़ी टारु भया भग्नुगन के अल्लात आने यावे छबि/गत्तव्य भास।"

[मकान पृष्ठ-38013/20/86-एम.एम.-I]

New Delhi, the 27th May, 1986

S.O. 2218.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st June, 1986 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Assam namely :—

"The areas/Revenue village comprising Ledo Town and Samukjan in Mukum Maiwa in the District of Dibrugarh."

[No. S-38013/20/86-SS-I]

नई दिल्ली, 28 मई, 1986

का.पा. 2219.—ऐनीय सरकार, कर्मचारी भविष्य निधि संकाय, 1952 के भाग 4 के उत्तरांश (1) के अनुसार में भारत के राजपत्र, भाग 3, खंड 3, उपखंड (2), नामीक 31 दिसम्बर, 1983 में प्रकाशित, भारत सरकार के थम और पुनर्वाप संवाचन (थम विभाग) की अधिसूचना से, का.पा. 4784, नामीक 12 दिसम्बर, 1983 में निम्नलिखित शब्दोंशब्द कर्त्ता है, अर्थात्,—

उत्तर अधिसूचना में 'वरदाय' शब्दकों के नींव, वस गंधक ७ के गामी की प्रविधि के खात पर, निम्नलिखित प्रविधि रखी गाएँगी, अर्थात् :—

"थी.एम.एम., डीएम,

उत्तर अधिसूचना

भारतीय मन्त्रालय द्वारा नियमित प्रदेश

कीप सूचनागत,

जिता.मणी, जिमाराल प्रदेश।

[वर्त-20012/17/78-एम.एम-II]

टिप्पणी: मूल अधिसूचना, भारत के राजपत्र, भाग 2, खंड 3 (2) में का.पा. 4784 द्वारा प्रकाशित थर्ड थी.एम.एम.वाचपाप निम्नलिखित द्वारा मंजोरित हो रही है।

क्र.म. राजपत्र में प्रकाशन की नामीक

1. 3024 22-9-84

2. 2857 22-6-85

New Delhi, the 28th May, 1986

S.O. 2219.—In pursuance of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour), No. S.O. 4784, dated the 12th December, 1983, published in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 31st December, 1983, namely :—

In the said notification, under the heading 'Members' against serial number 9, for the entry the following entry shall be substituted, namely :—

"Shri M. S. Toggar,

Vice President,

Bhuttiya Mazdoor Sangh,

Himachal Pradesh,

Camp Sundernagar,

Distr. Mandi, H.P."

[V-20012/17/78-PF-II]

Note.—The principal notification was published with S.O. 4784 in the Gazette of India, Part II, Section 3(ii) and subsequently amended by :

S. No.	Date of publication in the Gazette.
1. 3024	22-9-84
2. 2857	22-6-85

नई दिल्ली, 24 मई, 1986

का.पा. 2219.—ऐनीय सरकार ने कर्मचारी गत्तव्य वीमा अधिनियम, 1948 (1948 का 34) की भाग 4 के खण्ड (ग्र) के अनुसार में थी.एम.एम. अटटागर के स्वाम पर थी. बाह्य गोप, सचिव, भारत सरकार, थम विभाग, नई दिल्ली को कर्मचारी गत्तव्य वीमा नियम में इनादाक के लिए में सामनिकित किया है,

गत. अम. ऐनीय सरकार, कर्मचारी गत्तव्य वीमा अधिनियम, 1948 (1948 का 34) की भाग 4 के अनुसार में, भारत सरकार के थम विभाग की अधिसूचना गत्तव्य का.पा. 545(ग्र), दिनांक 25 जून, 1985 में निम्नलिखित गत्तव्यान्त करता है, अर्थात्,

उत्तर अधिसूचना में, "(ऐनीय सरकार द्वारा भाग 4 के खण्ड (ग्र) के विवेत नामनिविदित)" शब्दों के नींव में संख्या 2 के सामने की प्रविधि के खात पर निम्नलिखित प्रविधि रखा जाएगी, अर्थात्,—

"थी.बाह्य गत्तव्य

सचिव,

भारत सरकार,

थम विभाग,

नई दिल्ली।"

[मकान पृष्ठ-16012/6/86-एम.एम.-I]

ए.के. अटटागर, प्रबंग मंत्रिय

New Delhi, the 29th May, 1986

S.O. 2220.—Whereas the Central Government has, in pursuance of clause (b) of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Badal Roy, Secretary to the Government of India, Ministry of Labour, New Delhi, as the Vice-Chairman of the Employees' State Insurance Corporation, in place of Shri H. M. S. Bhatnagar, .

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545(E), dated the 25th July, 1985, namely —

In the said notification, under the heading "(Nominated by the Central Government under clause (b) of section 4)", for the entry against Serial Number 2, the following entry shall be substituted, namely :—

"Shri Badal Roy,

Secretary to the Government of India,

Ministry of Labour,

New Delhi."

[No. U-16012/6/86-SS-II]

A. K. BHATTAGAI. Under Secy.

नई दिल्ली 27 मई, 1986

का.पा. 2221.—ऐनीय सरकार ने यह गत्तव्यान्त हो जाने पर कि नोफिट में थी.मा. करना शोधित या शोधोगिक विवाद अधिनियम, 1947 (1947 का 34) की भाग 2 के खण्ड (ग्र) के उपखंड (ग्र) के अनुसार में भारत सरकार के थम विभाग की अधिसूचना संस्था का.पा. 45 दिनांक 17 दिसम्बर, 1985 द्वारा दीक्षित उत्तोग की उत्तर प्रतिनियम के प्रयोजनों के लिए 29 दिसम्बर, 1985 को थम विभाग की कालाबद्धि के लिए लौक उपयोगी सेवा घोषित किया था;

श्रीर केन्द्रीय सरकार यह राग है कि लोकहित में उक्त कालावधि को छह मास की ओर बढ़ावाता के लिए यद्यपि जाना चाहिए है;

अतः अब श्रीर केन्द्रीय विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (३) के उपखंड (६) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 जून, 1986 से छह मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एम-11017/2/85-डी(ए)]

New Delhi, the 27th May, 1986

S.O. 2221.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 45 dated the 17th December, 1985 the Banking Industry carried on by a Banking Company as defined in clause (bb) of section 2 of the said Act to be a public utility service for the purposes of the said Act, for period of six months from the 29th December, 1985;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 29th June, 1986.

[No. S-11017/2/85-D. I (A)]

का.आ. 2222.—केन्द्रीय सरकार ने यह रामाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 2 के खंड (३) के उपखंड (६) के उपबंधों के अनुभरण में भारत सरकार के भ्रम मंत्रालय की अधिकृतता में आ फा.03/05728 दिनांक 3 दिसम्बर, 1985 द्वारा लीहा अग्रसर खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 9 दिसम्बर, 1985 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

श्रीर केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (३) के उपखंड (६) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 9 जून, 1986 से छह मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करता है।

[सं. एम-11017/12/85-डी-1 (ए)]

S.O. 2222.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 5728 dated the 3rd December, 1985 the iron ore mining industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 9th December, 1985;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 9th June, 1986.

[No. S-11017/12/85-D.I (A)]

का.आ. 2223.—केन्द्रीय सरकार ने यह रामाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (४) के उपखंड (६) के उपबंधों के अनुभरण में भारत सरकार के भ्रम मंत्रालय की अधिकृतता में आ आ. 5727 दिनांक 3 दिसम्बर, 1985 द्वारा लोक उपयोग को उक्त अधिनियम के प्रयोजनों के लिए 3 दिसम्बर 1985 से 6 मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

श्रीर केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अब, अब, श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (३) के उपखंड (६) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 3 जून, 1986 से छह मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[कालन संख्या 11017/13/81-डी-I (ए)]

S.O. 2223.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 5727 dated the 3rd December, 1985 the Coal Industry to be public utility service for the purpose of the said Act, for a period of six months from the 3rd December, 1985;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 3rd June, 1986.

[No. S-11017/13/85-D.I (A)]

नई दिल्ली, 29 मई, 1986

का.आ. 2224.—केन्द्रीय सरकार का रामाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि मिस्ट्रिटी पेपर मिल, होशगाबाद को, जिसे श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रक्रिया 21 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी रोपा घोषित किया जाना चाहिए,

अब, अब, श्रीरोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (४) के उपखंड (६) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एम-11017/10/81-डी-1(ए)]

शशि भूषण अधर सचिव

New Delhi, the 29th May, 1986

S.O. 2224.—Whereas the Central Government is satisfied that the public interest requires that the Security Paper Mill, Hosangabad, which is covered by item 21 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purpose of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said Industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/10/81-D.I (A)]

SHASHI BHUSHAN, Under Secy.

and other such posts. As I indicated earlier, the list is not exhaustive and no attempt is also being made to enumerate the classes of employments exhaustively in which the badli, temporary or part-time employees are being appointed or could be appointed.

6. Originally, in the reference order, there were only two unions, joined as parties, namely Western Zone Insurance Employees Association, Bombay and Central Zone National Life Insurance Corporation Employees' Association, Kanpur. However, after notices were issued, as the category of employees appears in almost all regions and the zones of the Corporation, a number of other unions filed applications for being joined as parties and eventually, eight unions including the above two were permitted to appear and represent and file their statements of claim. The list of impleaded unions is as below :—

1. All India Life Insurance Employees' Association.
2. Akhil Bharatiya Jeevan Bima Nigam Chaturtha Sreni Karmachari Sangh.
3. National Organisation of Insurance Workers.
4. All India National Life Insurance Employees Federation.
5. All India Insurance Employees Association, Calcutta.
6. All India LIC Employees Federation.

7. All these unions filed their statements of claim and the Corporation also filed its written statement. Most of the unions filed also annexures to their Statements of claim and also filed rejoinders. In the circumstances which will presently follow and would be indicated, I do not think it necessary to refer at any length to the Statements of claim filed by these various unions, except to indicate on a broad view the contentions appearing therein, as also what is suggested by the unions in the matter of wages and other conditions of these employees and what should be in their opinion, the terms of their absorption.

8. Thus, the All India National Life Insurance Employees Federation has contended that temporary employment should not be offered for regular and permanent nature of duties in the Corporation and those whosoever are appointed temporarily against a permanent vacancy beyond a period of three months, the period spent by him in this temporary employment should be considered when he is appointed to a permanent post. With regard to Badlis, according to it, they should be in the categories of watchmen, sweeper, littmen and only to fill casual vacancies. It is also its case that a permanent leave reserve should be maintained. The temporary and badli employees should be paid wage as are paid in the normal scale, including allowance for the same kind of employees, and "should be entitled to all other service conditions including leave, holidays, overtime, working hours, etc. with the exception of P.F. Contribution."

9. With regard to part-time employees, its case is that part-time employees should be paid a wage upto three hours, Rs. 60 p.m., and for more than 3 hours but less than 6 hours Rs. 100 p.m. and in a graded scale thereafter, set out in this statement of claim. They should, in its opinion, be given the same benefit as other employees.

10. Its more important demand and contention is that "all temporary Badlis workmen who had worked for over six months or 180 days and were terminated before this reference, be regularised in permanent services according to the seniority in service." Another part of its demand and contention is that all those "existing" concerned workmen, namely, temporary, badlis and part-time employees who have worked for over 90 days in an year should be absorbed permanently and in regular employment of the Corporation. Apparently, the word 'existing' means existing as on the date of the reference, for otherwise, it is not clear what the Federation means by the word 'existing.'

11. I may say, that generally statements of claim filed by all the unions proceed more or less on the same lines. Excepting variations minor or major in regard to their other

working conditions, benefits and absorption. If the contentions of the unions were to be put briefly, then it can be said that the unions had urged that all temporary, part-time and badli employees should be straightaway absorbed who have put in a number of days, which varied with the unions. Part-time, badli and temporary employees should be given the same benefits and working conditions as are given to the regular employees. Apparently, notwithstanding the claim for absorption of all these part-time, temporary and badli employees, existing or whose services have been terminated prior to the reference, the unions contemplated the continuation and existence of the part-time, badli and temporary employees even hereafter. In making a reference hereafter, to the statements of claim of the other unions, I shall only point out their salient features in regard to these aforesaid features, demands or variations if any.

12. The National Organisation of Insurance Workers filed its statement of claim on the 9th September, 1985 wherein it said that the part-time employees should get as many as 14 benefits such as provident fund, gratuity, festival advance, encashment of leave, leave travel concession, medical facilities and even promotion rules, free insurance and housing scheme. The material part of its statement of claim however is that the Corporation is a very large organisation having five zonal offices and 43 divisional offices and about 1000 branches all over India at that time. The number of such temporary, part-time and badli employees, according to it, was in the order of about 1000 Badlis, 1900 or more temporary daily rated and about 2000 part-time employees. It also referred to the various circulars which were issued by the Corporation relating to their appointment and empaneling. It also referred to certain other circulars and instructions which were issued to the zonal and divisional offices in the matter of employment of such temporary and part-time workmen. It is pointed out that though these persons were employed and have done work which is a work of permanent and regular nature of the Corporation, the intention of the Corporation was to see that they do not complete 190 days or 140 days, obviously with a view to keep them out of the purview of the Industrial Disputes Act.

13. The Central Zone National Life Insurance Employees Association, also filed its statement of claim. It did not set out any terms and conditions or benefits for the temporary badli and part-time employees, but demanded that the conditions and benefits as are given to regular employees should be given to these persons also. However, so far as their absorption was concerned, it said that "existing temporary, Badli and part-time employees who have worked for over 90 (ninety) days be regularised in permanent service in their respective cadres in class III and/or IV." and all "Temporary, Badli and part time employees who had worked for over six months or 180 days and were terminated before the Reference Order may be regularised in permanent service according to their seniority in service."

14. All India Insurance Employees Association, which has virtually adopted the statement of claim filed by its Western Zone Affiliate Association which has filed a written statement of claim on 26th August, 1985. No separate reference therefore, need be made to this statement of claim.

15. It is only necessary to refer to the absorption conditions suggested or named by the All India LIC Employees Federation, which filed its statement of claim on 9th September, 1985, as its other demands with regard to wages and other conditions of service are on par with other unions. So far as their absorption is concerned, it said "such workmen who have worked for 85 days in a year for three years should be listed for absorption in regular cadre" and "such persons who have worked for 85 days in a year for 5 years should be absorbed in regular cadre with immediate effect". It does not make any distinction, between temporary badli or part-time workmen, but it is not known why and how it claimed different periods of service for purposes of absorption. Its more important contention in that appointment of workmen through contractors should be abolished. It appears that, and a contention was raised and arguments advanced before me to which I shall make a reference at a later stage, that the Corporation at some of its offices and in some of its divisions employed workmen through a system of contract. Work, which is entrusted to the contractors,

according to the unions, is regular work which the Corporation has, such as security watchmen, liftmen, sweeper, etc. But, such workmen are placed under a contractor and the contract is given for that work. It was the contention that sometimes even one of the workmen himself is chosen as the contractor. Workmen, therefore, have continued to work in the same position and in the same manner, but no more as badli, part-time or temporary workmen of the Corporation, but as the contractor's employees. During the course of the hearing of this reference, I had observed, that the Corporation, should not as a matter of policy, for its regular and permanent nature of work employ workmen through contractor. In the notes made on 14-3-1986, this was observed and the Corporation in principle agreed to do so.

16. The statement of claim filed by the Western Zone Insurance Employees Association filed on the 25th August, 1985, though extensive, except for a few matters which have not been referred to by the other unions, generally proceeds on the same lines. It has however, pointed out that the wages paid by the corporation to these part-time, temporary and badli workmen have been very low, and their period of employment has also been many times very small, i.e. for 2-3 days, the maximum being 85 days. This, according to it, was done with a view to circumvent the provisions and in order not to confer the status of permanency upon its employees, which constituted an unfair labour practice. This was also not uniformly followed and it says that "In some centres such temporary employees are replaced by fresh once on their completion of 85 days, whereas at many centres the same temporary workman is again employed on a daily wages of on a consolidated wage basis to work as a regular sub-staff over a fairly long period extending even 10 to 12 years. In a number of cases they are paid their salary either as coolie/charges or shifting charges or some such other charges. And such payments are made either in the name of the workman concerned or in some fictitious names, to frustrate the right to permanent employment and consequential benefits." According to it, the Badli employees were engaged often for a minimum period of 5 days or less than 5 days and their daily wage is arbitrarily fixed at Rs. 9 or lower and later raised to Rs. 15 per day from June, 1983. These practices were according to it, exploitative. In order to overcome and with a view to put an end to these practices, the union raised a dispute by its letter dated 30th July, 1982, making on their behalf the demand for payment of wages and benefits of other terms and conditions of service and absorption in the employment.

17. It then made a reference to the dispute relating to non-revision of wages for casual labour which was a subject of reference No. 4 of 1984 and the award made thereunder, which was delivered by me on the 11th of April, 1985 and came into force from 18th January, 1983, i.e. the date of the reference. In its paragraph 37 and 38, it has set out its demands for the part-time, badli and temporary workmen, which are on par and identical, excepting the claim for increments in wages, like the other unions. It seems also to suggest that the wages which were being paid and which are being paid at present to the temporary, badli and part-time employees depended purely upon the nature of work, which they are asked to do, such as different wage for Peons, Sweepers, Watchmen, Scavengers, Watermen, Hamals, etc. and according to it the work and duties attached to them "are alike and are not distinguishable". Therefore, there is no justification for any discrimination or differential in the scales of pay being paid to them, alongwith other benefits. Such benefits are also, it was stated, not paid. Though the jobs are of a permanent nature and of a longer duration, the employment of any particular person is restricted by the Corporation "artificially to 85 days only." According to it, in order to maintain sanitary, hygienic and clean conditions in the buildings and establishments of the Corporation sweepers and cleaners should be employed on a full time basis and not as part-time workers and if they are required to be engaged for part time, they should be engaged atleast on a 4-hour basis per day. It also pointed out that certain other public sector undertakings, such as banks have "extended the benefits made available to their whole time employees to the part-time employees and the temporary employees in the organisations. That should be done even by the Corporation.

18. One more feature which has appeared in the Statements of Claim of All India Life Insurance Employees Asso-

ciation, particularly with regard to Eastern Region, and Akhil Bhartiya Jivan Bima Nigam Chaturtha Srani Karamchari Sangh, hereinafter referred to as Sangha is employment of the medium of contractors for getting the work done which was either formerly done, or elsewhere being done by part-time badli and temporary employees. These workmen, it is said, have been working for the Corporation "for many years" and the Corporation has not taken any steps for their absorption. Daily wage for categories of employees, such as Head Peon, Watchman, Liftman, etc. comes to Rs. 28.64 per day at 1/30th of the emoluments drawn by regular employees. Similarly, it comes to Rs. 27.94 per day in case of Sepoys, Hamalr, Daftaries, etc. and Rs. 27.00 in case of Sweepers and Cleaners. However, these badli, temporary and part-time workman were and are paid at various rates ranging from Rs. 75 p.m. to Rs. 300 p.m. or Rs. 2.50 per day to Rs. 10 per day. They also do not get any other benefits which the regular employees get, such as holidays, leave ex-gratia bonus, etc.

19. A feature to which a reference is made and finds its place in the statements of claim of All India Life Insurance Employees Association and the Sangha is that the "Corporation directly and/or through Contractors, Agents, tenant Associations, Licensee Associations etc." engages badli, temporary and part-time workmen for the same work which is obtained from other workmen such as sweepers, cleaners, watchmen, hamalr, liftmen, watermen, etc. in other places and was also before. The employment such of intermediary was performed for the corporation by the same employees.

20. The sangha has similarly contended that amongst the three categories of workmen under reference "workman engaged through Contractors for Building maintenance as watchman, liftmen, pumpman etc. (IV) Workmen engaged through Socalled tenant Association" should also be included. It has given an annexure and schedule to its statement of claim giving the names of workmen, time since when they have been working, places where they have been working and the names of Associations or Contractors through whom their work is extracted, such as Deependra Kumar Das, Jupiter Electric Co., Daga and Company, Tenant Associations, etc.

21. To state briefly, the contentions which commonly appear in the statements of claim of the unions are that the employees who have been working as part-time, badli and temporary workmen, have been working for long periods and artificially, their continuous employment has been restricted to a maximum period of 85 days at a stretch. This has however, not been followed uniformly at all places and that in order to circumvent or give a go by to the directions and instructions of the corporation, employees have been employed in different capacities such as sometime badli, sometime temporary and sometime part-time and also under different categories like Peons, watchmen, liftmen, watermen and even paid as coolie charges. That workmen have also been working in different names and paid in fictitious names. Even its regular and normal work at some places, is got done through regular employees as also these temporary, part-time and badli employees. At some places and on some occasions, it is got done through contractors, tenants Associations or some such organisations. But they do the same kind of work, which is of a regular and permanent nature and available at other places and divisions of the LIC. Even as contractors employees of agents employes the same workmen work.

22. Wages paid to these employees, often on a lumpsum basis either determined daily or monthly are very low compared to the minimum daily rate of wage paid to a regular employee, though same kind of work is done by such temporary, badli and part-time workmen. They are also not given any other benefits and are deprived of any other considerations. Their service with the Corporation is of no avail and they are not considered for purposes of absorption even though the statement of claim by the unions say that all the Corporation in different capacities, different forms and in different nature. As there is a cadre in regular service of the Corporation, such employees who have put in a number of years in different capacities of the Corporation have served it often at a disadvantage and are at a loss and prejudiced by the policies adopted by the Corporation. As no uniformity exists for work which is of a regular and permanent kind, employment of contractors or agencies should be discouraged and done away with. All those who have been working with the Corporation should be directly absorbed and straight way absorbed as the regular employees of the

Corporation; for which, according to the union, there is considerable room and capacity in the form of vacancies. They should also be extended all other benefits which are available to the regular employees of the Corporation. Their service in the Corporation should be reckoned for purposes of increment and when absorbed at the time of absorption, the period spent should be treated as probationary period and should be taken into account.

23. It is further material and significant to note that though the statement of claim by the unions say that all the workmen who have been doing badli, temporary or part-time work of the Corporation should be absorbed straightaway and given all the benefits, though the position is admitted that they have not been continuously in employment in any capacity these benefits should accrue to them from what year and what year should be taken into account for purposes of absorption is not stated or claim. There is a reference no doubt to various circulars and directions issued by the Corporation particularly in 1977. There is also a reference to the raising of the dispute or 30th June, 1982 in the statement of claim of one of the unions, but none of the statements which claimed benefits of wages and conditions of service to be extended stated from what year those benefits should be given. It has also not been said for the purpose of absorption, what should be the criteria adopted and service of the employees at what point of time should be taken into account, particularly in view of the fact that such employees have been continuing to work, according to the union, right from the year 1977. The dispute was raised in June, 1982 and the reference order came to be made in May 1985. I make particular reference to these circumstances, as that has a bearing on the subsequent suggestions which emerged and the award which I propose to make.

24. The Corporation delivered a number of pleadings in the form of rejoinders, replies to the union's statements of claim which were delivered from time to time, but its main written statement which alone I intend to refer is of 25th of October, 1985. It initially pointed out that the Staff Regulations made by the Corporation do not apply to temporary, badli or part-time employees. That power had been conferred by Regulation 8 to employee persons in a temporary capacity. It then referred to provisions of S. 40B of the Insurance Act of 1930 and the limitation of expenses within which the Corporation has to function. It also referred to S. 6 of the Act and the circumstances that staff strength is fixed and pagged at various levels by the Corporation with due consideration to these enactments. According to it, in addition to such fixed staff strength, "a leave reserve of around 10% is maintained." It also further recognises and says that even "after providing for the 10% leave reserve it may be necessary for the Corporation to engage a limited number of persons on a temporary basis, in exercise of powers conferred on it by Regulation 8 of the (Staff) Regulations." These limited number of persons temporarily engaged on a part-time basis are, according to it, only in the category of "Sweepers, Gardeners and Watchmen in Class-IV cadre whose duty hours generally extend for 2 to 4 hours a day depending upon the work-load involved. Sweepers, on a part-time basis are engaged where the Corporation's offices are housed in rental premises. Where, however, the offices of the Corporation are situated in buildings owned by it, the Sweepers are appointed on a regular whole-time salaries basis." Where part-time work is required or involved, "care is taken to see that part-time workmen are employed where their services are to be availed of for only 4 hours or less every day." It has then set out the guidelines which are given to the lower officers in fixation of sweeper requirements, according to the floor area and says that remuneration to these "part-time workers is determined on a per hour per month basis which is more or less proportionately commensurate with the minimum wages including dearness allowance paid to the Corporation's regular employees in the same cadre." This, it says before 1978 was Rs. 30 per hour per month. It was revised to Rs. 40 per hour per month on 1-2-1978 to Rs. 45 per hour per month from 1-2-79, to Rs. 60 per hour per month at Divl. Headquarters and Rs. 50 per month at other centres from 1-10-1981 and finally to Rs. 75 per hour per month at Divl. Headquarters and Rs. 60 per hour per month at other centres. It may be pointed out however that this works out to almost same figures as the unions have pointed out and it is undoubtedly and lower than the minimum which is paid at the minimum level to that very category of employee per hour per month basis in its regular employment. The Corporation has also further pointed out that in the matter of

absorption for regular vacancies such part-time workers whose record is not unsatisfactory are allowed to compete with "necessary relaxation in the upper age limit prescribed for recruitment."

25. Temporary workmen, it says, engaged for short spells are employed in the category of Peons, Liftmen, Watchmen and Sweepers. Same is the position for Badlies also. They are, according to it, paid "on the basis of the minimum scale of pay and allowances applicable to the post on which they are engaged for such short-spells of time" and it is seen that they possess the minimum qualifications for recruitment on regular basis. The panels for such workmen are maintained "at the Divisional Headquarters only and not in respect of Branches" including city branches. Mofussil Branch offices or sub-offices are not empowered to make appointments of temporary or badli employees except when it is absolutely necessary and says that one of the conditions, which is laid down it in the matter of such employment is that "no person shall be so employed for more than 85 days in a calendar year for not more than two such spells in two consecutive years." On the other hand, temporary employees are appointed only when there is no badli employee in the badli panels available and such temporary employee do not come out of any panel or sponsored by the employment exchanges. They are appointed against leave vacancies of permanent workmen and are "also made very occasionally to meet with temporary increase in work." They are in the categories of typists and Telephone Operator and on very rare occasions in the category of assistants, and their appointment is again limited to a maximum period of 85 days. They are also, it is said "considered alongwith other candidates for regular recruitment as and when vacancies in sanctioned arise, provided they satisfy the necessary requirements for the post." No special consideration however, in their case, appears to be extended.

26. The reason why the maximum number of days for employment either for temporary or badli employment is prescribed by the Corporation, according to it, was to avoid claims for regularisation of their employment, if they were to have been employed for long spells. That this would not have been consistent with the provisions of Staff Regulations and in order therefore, to put an end to such back-door appointments, specification of maximum period of employment has been made. It however, admits and concedes that it had been adopting a policy of absorbing such employees in the regular service of the Corporation, and that "in the year 1978 there were nearly 1233 candidates in the badli panels maintained by the various Divisional Offices of the Corporation all over India in the category of Peons" out of which 393 persons were absorbed in the regular employment as Peons. With regard to other benefits and conditions, what it says in a very brief manner is that they are remunerated on the basis of the minimum pay of the scales of the post to which they are appointed. Besides, it is said that such persons are entitled to such statutory benefits as are available to them. As to what was meant by such "statutory benefits" by the Corporation is not clarified nor has it been pointed out what are the statutory benefits which are available to such workmen.

27. As I have indicated earlier, I do not propose to go into the replies of the Corporation to the statements of claim filed by the unions. They are more or less repetitive and say about the same thing which has been stated in its main written statement referred to above.

28. After these pleadings were delivered and a set of documents filed and when the stage was set for recording evidence in the case, it was represented and became apparent that evidence will have to be recorded in this reference at various places in various divisions and zones of the LIC. Principal reason, which appeared for doing so was that the practices employed and circumstances and situations with regard to employment of such employees at various divisional and zonal offices and in branches was not uniform and that all those facts pertaining to such employees, the manner and nature of their employment periods of service or tenure for which they worked, modus operandi in regard to their employment were required to be brought before the Tribunal. An order, therefore, came to be dictated on 6th December. That order, however, related, except apart from noting that evidence may have to be recorded at various places to other peripheral and administrative matters relating to participation of unions in the matters of recording evidence.

Evidence was then recorded, out of the various places proposed, firstly in Hyderabad of inspecting various records which union had the opportunity of inspecting various records which were made available by the Corporation relating to such workmen, a number of affidavits had also been filed. Evidence was then recorded on the 24th and 25th of February, 1986 at Hyderabad. On the conclusion of evidence in Hyderabad, an order was dictated, portions of which, would be useful to set out as they have a close bearing upon the course of the proceedings of this reference subsequently.

29. "It was observed that the evidence of workmen concerned in the dispute of the three categories and the class or category of work which they were doing, would more or less be of a similar pattern, whether one witness is examined or more. Similarly, cross-examination of such a witness would also be of the same type and pattern and on the same lines. It was therefore, suggested that the unions consider in every region filing a compilation showing the particulars of all the concerned workmen, through some responsible office bearer, wherein he will state and give particulars with regard to each workmen, such as the time since when he has been appointed, period for which he has been working, salary which he has drawn, the character of his work, such as Peon, Coolie or such other, the names in which payment was made to him if his case is that he was also paid in different names, and such other particulars which are considered by the unions to be relevant". This suggestion when it was put forward was "unanimously agreed" and accepted. Accordingly, the matter was adjourned for filing such affidavit-cum-compilations for the purpose of recording evidence at other places. The matter was then posted and taken for hearing at Bombay on 6th March.

30. On the 6th March, in the light of the order passed on the 25th February, and in the light of what transpired, I invited the parties to give their suggestions to me for resolution of this dispute with a view to find if possible a measure of consensus amongst them, in a sealed cover. The unions as well as the Corporation were requested to give their suggestions in a sealed cover to me on the basis of which and independent of them, I said to them that I would be inclined to make some suggestions and put forward some proposals before them for their consideration, so that if they accept them, depending upon their reaction and response, faster progress can be achieved in the matter of concluding this reference. The matter was then adjourned to 14th of March.

31. Accordingly, both the union and the management of the Corporation delivered their suggestions in sealed covers which were perused by me, without disclosing them to others. I have dictated notes of what appeared to me from these suggestions and what I thought was reasonable and should be considered by the parties. These suggestions for resolution of dispute were put forward with a view to invite dialogue and discussion and consideration and acceptance or otherwise by the parties concerned. It would be inappropriate to incorporate that entire order, but I intend to set out some parts thereof.

32. It was discovered as common ground and disclosed at that time that there are no part-time employees in Class-3. All three categories of Badli, Temporary and part-time employees are only from class IV. That Class-III employees only belong to temporary category, while Badlis and part-time employees are only from Class-IV. Of these part-time employees are mostly from the categories of sweepers and such others.

33. The first suggestion and direction which was made was with a view to find out how much more regular employment over and above the 10% leave reserve, which the Corporation says, it maintains, was necessary. This was because, the Corporation was employing badli, temporary and part-time employees inspite of maintaining 10% leave reserve and having all its sanctioned strength of employees operating. It was that work, which this class of people under reference, over the years have been doing, and which can be calculated in terms of man-hour days. The object was to find out the Corporation's requirement of men and days or "how many more people are required over and above the 10% leave reserve." For the purposes of doing the work, which the Corporation at the moment was getting done through employment of such temporary, badli and part-time employees. It was thought that from this "the total availability of employ-

ment with the Corporation in which some of these people can be absorbed" could be found out. This may also help in fixation of what should be the leave reserve and whether 10% or more.

34. The next stage which was suggested was formation of pools of such workmen in three categories for every zone or division. It was noticed that this kind of employment was more or less a local employment and in that light, since such local employment may not be uniform in a zone in its various divisions, those figures should be had in order to determine whether such pools should be on a division basis for pools basis.

35. One of the conditions suggested for formation of pools at divisional or zonal levels which was accepted was that persons in one pool should not be allowed to migrate to another pool. Thus, it was also visualised that water tight compartments of the category of workmen, namely part-time, temporary and badlis in the formation of pools can not be maintained in view of the circumstances that employees claim that they worked in different capacities and different positions, though such water-tight compartments may be possible with regard to zonal or divisional pools.

36. The third principal suggestion or proposal made was that "a screening committee or board should be constituted for each division, which should look into these persons and ascertain their suitability for employment". With a view to ensure their selection and screening and with a view to keep out local prejudice, it was suggested that the committees should consist of three persons, one from the local office and two others from a different division. A pool should be formed and seniorities given and the screening committee should empanel the workmen in accordance with their seniority for purposes of absorption in future vacancies. It was also suggested that "wherever any future vacancies occur, they should be filled from these people only. Only when the list is completely exhausted, recruitment should be made from outside. Recruitment should not be made from open market unless the candidates in the pool are completely absorbed."

37. With regard to emoluments and other working conditions and benefits, some suggestions and observations were made. Thus, it was pointed out that the unions have said that the minimum emoluments payable to these workmen should be paid. With regard to part-time workmen, it was suggested that an hourly rate should be prescribed for them. It was also proposed that so far as others are concerned they should be given "wages at the minimum of the scale applicable to them, (category), plus casual leave and holidays falling in between." This would apply to temporary and badli workmen. The unions had claimed that all the benefits should be given to them, but it was pointed out that this would entail enormous amount of record keeping, though casual leave and pay for holidays falling within the employment should be paid and after a number of days of service, earned leave and sick-leave may also be given at a particular rate.

38. The other more important aspect of the matter was with regard to the cut-off year. During the discussions it was pointed out and I have already pointed out to this circumstances that during the pleadings of the parties, they have not suggested or claimed as to from what date and from which year the concerned employees should be considered as eligible for the benefits of this award. Ordinarily, an award is prospective in the sense that it takes effect from the date of the award or earlier from the date of the reference. If it takes effect from the date of the reference, then it does not really and strictly speaking give any retrospective effect. The retrospective effect would be only in such cases where the award operates from a day or date prior to the date of the reference. Having regard to the circumstances that this category of employees have been in the employment of the Corporation from the year 1977, and as it is stated and pointed out and having further regard to the circumstances that the employee in this behalf was raised sometime in 1982, a suggestion was made that the cut-off year should be 1982 and cut-off date should be 1-1-1982.

39. The parties were asked to consider these suggestions incorporated in the order dated the 14th March, 1985 in the light of which discussions took place and inform their acceptance or otherwise by the next date. The parties stated on the next date that they accepted the suggestions and that they may be heard on the details while for the Corporation, some reservations were expressed on a point or two to which I shall come later.

40. I had also pointed out that in the suggestions which were given to me, most of the unions have suggested 1983 as the cut-off year. I have felt however that 1-1-1982 should be taken as the cut-off date and 1982 as the cut-off year and that those who have been in the employment of the Corporation in any capacity, such as temporary, badli or part-time w.e.f. 1st of January, 1982 till now should be considered and held as eligible for the benefit of this award subject to other directions in para-44. The period of service, which they may have spent or rendered to the Corporation prior to 1-1-1982 it was contended and urged should be taken into account and given some benefit. In cases where such workmen continued subsequent to 1-1-1982 they will come in as they fall within the period. A number of difficulties were pointed out to me and urged by the Corporation and had appeared during the course of the evidence. Primarily, these were in connection with the availability of record of such service rendered by such persons. It was generally complained for the workmen that records were not available or were not made available and for the corporation, that records were not acceptable and that it would involve an almost impossible task of digging out, hunting and arranging and making available record of such workmen. Besides, it was the case of the workmen and had also appeared in the sample evidence, which was recorded at Hyderabad that workman had claimed to have worked in different capacities, were paid in different forms and they have worked even in different names. In the circumstances, I am disinclined to accept this suggestion of the workmen that any service rendered or any claim with regard to service rendered by workmen prior to 1-1-1982 should be considered and weightage given. To my mind, if that were to be done, it would raise a hornets nest and create innumerable problems, requiring a procedure and machinery for resolutions of disputes and claims which may be made by such workmen or by unions in their behalf for service having been rendered prior to 1-1-1982. This would also introduce an element of conflict between workmen themselves, as some workmen would also be interested in denying the claims of others for having worked prior to 1982. With a view to simplify both the procedure with regard to empanelling and forming pools as well as determination of seniority, it would be wrong to go into such past. The availability of record being better and number of disputes in the near past being less, I think it would be advisable and in the interests of all concerned to fix the cut-off year as 1982, and cut-off date as 1-1-1982.

41. Having fixed the year and date for the purposes of extending the benefits of the award to these workmen, I would firstly proceed to the other aspects of the matter, particularly with regard to the categorisation of employees, directions and procedure as well as machinery with regard to the conditions of absorption. As indicated earlier, other parts of the award relating to wages and conditions of service would be dealt with later separately.

42. Before proceeding to deal with specifics of conditions of absorption and other matters, I would say something with regard to the fixing of the date 1-1-1982. It is admitted that subsequent to 1982 employment in these categories continued even till the date of the reference and even thereafter. Terms of the reference merely say what should be the conditions for their absorption in regular cadre, this would by itself can not be said to mean that this has to be considered only prospectively, i.e. from the date of the reference. Indeed history of the employment, conditions of absorption into regular cadre, etc. have to be considered with reference to the service already rendered. Otherwise, it would be only those persons who were in employment when the reference was made, which would be a fortuous circumstance, who would benefit from the terms of this award. I do not think that such a situation was contemplated. Besides, as I indicated earlier, on account of the policies of the LIC and practices, employees have not been allowed to put in more than 85 days in a year or for two years consecutively, so that a person who has unfortunately completed his spell of 85 days just a little before the making of the reference in May, 1985 would be sheer chance be left out of the pale of the reference. The demand with regard to the concerned workmen and their working conditions was raised in the year 1982. A Tribunal has the power to make its award retrospective. To make it operative from the date of the

reference is not, in fact, giving retrospective effect at all. Where the effect has to be given even prior to the date of the reference, then only it would mean that the award operates retrospectively. One of the considerations which may be relevant in deciding whether an award should or should not have retrospective effect, is the paying capacity of the employer. The other circumstance would also be whether wages and other conditions of service which are a part of the adjudication and working of the award, were either too low or commensurate or equal or reasonable. For the purposes of the present consideration, it appears to me that the reference to adjudication of wages and other conditions of service of these workmen along with their condition of absorption into service suggests consideration of their past service and wages and other conditions even prior to the date of reference. Retrospectivity therefore, is in the air and suggested or indicated even if it is not expressly stated.

43. Coming now to the specific categories of workmen, I would firstly deal with the part-time category of workmen which requires to my mind a further subdivision. As I indicated earlier, part-time workmen appear to be two kinds of workmen, i.e. those who have been doing part-time work on a regular basis, for quite some time and those who have been doing that part-time work also as badlis. I have in the earlier part of the award called them substitute part-time workmen. In other words, they would be substituting for a part-time workman or against some casual or occasional vacancy. During the course of this reference, where part-time workmen are referred to generally, it means unless the context otherwise indicates, regular part-time workmen only.

44. Having first decided the commencement date of the employment with the Corporation, it would be necessary to prepare lists of such workmen in every category, namely, badli temporary and part-time including sub-division in the part-time employees and the capacity in which they have worked. In doing so, it may be necessary if a workman claims that he has worked in different capacities, i.e. either as a Peon, watchmen, liftmen, pumpmen, etc. and also as a Badli, temporary or part-time on different occasions, to state them and set them out in writing. I direct that three different pools for the badli, temporary and part-time workmen should be prepared. Substitute part-time workmen should be incorporated in the badli pool and not in the part-time pool. That is an appropriate and correct nomenclature for them. For all those persons who have worked therefore from 1-1-1982 with the Corporation till the date of reference, namely, 28th May, 1985 and thereafter till the date on which certain orders to which I shall presently make a reference were passed directing that existing employees' service should not be terminated, such lists should be prepared, for each category of workmen. In other words, badli workmen in different categories, i.e. who have worked in different capacities should be incorporated in badli pool. This should also similarly be done for temporary and part-time workmen. In doing so and in calculating the number of days worked, worked days only upto the date of reference, namely, 28th May, 1985 and thereafter till the date workmen had obtained on account of the interim orders would be nullified.

45. In the matter of preparation of these pools, it is necessary to give some directions. These lists or pools should be prepared for each division of the Corporation and not for each zone. Every workman who claims to have worked between the period 1st January, 1982 till the date indicated above, shall have to file an application or note with the Corporation, setting out therein, the capacity in which he worked during whatever periods in the entire period, whether he worked as badli, temporary or part-time, etc. Such workmen should also state in which of the pools and in which class of employees he intends to be considered, i.e. whether he wants to be treated and considered, in the badli, temporary or part-time pool as also the class of the workmen, such as Peons, Sweeper, Pumpman, etc. should also be stated clearly. Such statement or choice once made by the workman would be final and not subject to any change at a later stage. This also applies to class-III employees, who should also be required to make such an application.

46. The workmen should also when they file such note or application state of which union they are members and must also obtain from such union office bearer counter-signature upon his application or note. Once such concerned workman makes a statement that he belongs to a particular union, then it is that union only which should be entitled, in case of any consideration and for purposes, which may be indicated later in the award, to consultation with the management of the Corporation, in the matters which may arise with regard to his inclusion or exclusion. In the circumstances which I have indicated earlier and in view of the various claims made, the workmen having worked in different names and in different capacities, it is possible that some disputes may arise as regards the claim of the workmen for the period for which he has worked, with regard to the capacity in which he worked and the manner in which he was paid. Where the Corporation admits or accepts the workman having worked either in the capacity or the period. Or in the names, there would be no difficulty. Where, however, the Corporation does not admit that the workman worked for the period he claims or in the capacity in which he claimed, there might be some difficulty or problem. Such problems have to be resolved and should be resolved with the help of the material evidence which the workman or the union of which he is a member produces and the Corporation has. Any decision in this behalf should be made in consultation with the union of which the workmen is a member and by an officer of the Divisional head quarters of the Corporation not below the rank of an Assistant Divisional Manager to be nominated by the Divisional Manager. Preferably, such person should be the Assistant Divisional Manager in charge of Personnel Department or responsible for that department. A list of such persons with the period of service and the capacity in which served, as accepted, shall be made and notified. These lists would form the people. The list should be made in accordance with the seniority, the seniority being counted in terms of days alone and not the capacities in which the person has worked. In other words, if a person has worked in two capacities then the total number of days for which he has worked in both the capacities should be treated as the number of days for which he has worked for the Corporation and should be taken for seniority and ranking and not separately for the class or kind of work which he has done. Such a list shall be the final list.

47. Once divisional pools are formed it should not be permissible for workmen to opt from one division to another. His absorption will depend upon the number of vacancies which may become available in that division only and no other. I do not think that the concerned workmen should be given freedom of opting out from one division to the other as that would result in innumerable problems and heart-burning amongst the workmen. As has appeared, most of these employments are local and therefore, it would also not be in the interests of the workmen to permit their migration from one division to the other. It may perhaps be more hard upon them and might at a later stage bring up requests for retransfer to the original divisions. Besides the workmen have continued in these divisions for the periods for which they worked with the corporation and they should not be permitted or entitled or given the liberty of reducing the chances of workmen in other divisions by being incorporated in the select lists for absorption of other divisions.

48. After such lists are prepared and pools are formed for a division, the Corporation should appoint a screening committee which would go into the question of desirability and suitability of such pooled employees for purposes of their absorption in regular service of the Corporation. These screening committees should be formed for each of the five zones of the Corporation, presided over by Zonal Managers or officers nominated by them not below the rank of a Deputy Zonal Manager from that zone, for the purposes of concerned workmen in all the divisions in that zone. He would be assisted by two other officers nominated by the Corporation from other zones and preferably those who have not worked in that zone, not below the rank of a Secretary. The divisional pools which would be formed will be consolidated and sent to the screening committee for purposes of deciding upon the desirability and suitability of the employees. The screening committee may, if it so considers, advisable in a given case require the workmen to take a test in the light of the workmen's possible later absorption in higher categories of employment with the Corporation.

49. For the workman, it was contended that specific guidelines should be incorporated in the award for the guidance of the screening committee in selecting workmen for absorption. On behalf of the Corporation, it was said that a minimum number of qualifying days for being absorbed should be prescribed. Just as a cut-off year has been suggested, cut-off number of days should also be incorporated, as the record shows a very large number of workmen have entered the service of the Corporation in one of these capacities for a very short period, just for a few days. If such short-period employees who have put in a very small number of days are required to be considered, then the screening committee will have considerable work. For the Corporation, it was indeed suggested that a minimum number of days should be prescribed for being incorporated in the pool itself, and that there should be some minimum requirement of period or cut-off days. There was consensus amongst the parties that there should be cut off days for absorption. I shall presently refer to that aspect of the matter. However, I do not think it would be permissible or possible to exclude by prescribing some artificial period or number of days for the workman to be considered or brought in the pool itself. That would be excluding from the terms of the reference some of the workmen, who have been in the employment of the Corporation as temporary, badli or part-time which can not be done. What the reference has not done by prescribing a number of days as requisite for the purposes of obtaining advantage of this reference and award would be impermissible. What can, however be done only is prescribing the number of minimum days of service, better expressed as cutoff number of days for eventual consideration for being absorbed in the Corporation's services. In other words, therefore, though an employee, employed for whatever number of days in any of these capacities from the cut-off year, i.e. 1-1-1982 till the date of the reference will be eligible to be included in the pool so as to give and receive the advantages of the award as a condition of his absorption in the regular service of the Corporation, it would be permissible to prescribe a minimum number of days for an employee to have worked to be considered eventually for absorption.

50. In this connection on 9th of April, 1986, the Corporation filed a statement which, though admittedly is not complete for all the zones and divisions, sets out between the period 1982 and 1985, the number of days for which workmen have worked and the total number of workmen who have worked. Thus, it would be seen that out of a total of 5048 workmen in the three categories who have worked for different number of days with the Corporation, those who have worked for a period between 19 days constitute a very large number. Similarly, those who have worked between 10 and 29 days are also large. Therefore, those who have worked between 1-20 days with the Corporation out of the 5,000-old employees are over 2,500 employees. It was therefore strenuously urged for the Corporation that persons who have worked for such a small time and period with the Corporation can not really legitimately make any claim and should not have any consideration for being absorbed in the Corporation's services. Their employment with the Corporation was more in the nature of casual in the nature of touch and go and most of them must have sought employment or obtained employment elsewhere. Their employment with the Corporation, it was said, was more of the nature of accident than a deliberate choice or planned. These statistics were not accepted by the employees and they stated that they were not complete. I do not think however, that the material pattern which emerges from this statement that a large number of people have worked for a very short time with the Corporation and not worked with the Corporation thereafter at all during the later period is quite clear and large. If they are also required to be considered for purposes of ultimate absorption, their casual and occasional contact with the Corporation would give them importance and value out of all proportion and would work unjustly towards others who have worked with the Corporation for longer number of days ultimately expecting absorption. As is stated, in many ultimately expecting absorption. As is stated, in many cases, workmen have worked in various capacities and in more than one category also.

51. This aspect of the matter was discussed in Calcutta on the 2nd and 3rd of April, 1986. The Corporation had also in its submission made on the 25th of March and its reservation which it had stated on 14th, with regard to this matter, said that the Tribunal should be pleased "to provide that that only these workmen who have worked for not less than 85 days each in at least 2 years on and from 1-1-1982 and who satisfy the minimum educational qualifications be considered for empanelment." It was prepared to relax in their case the age limit. In other words, the suggestion was that such persons who have put in 170 days in a period of two years only should be eligible for entering the pool. This would have virtually meant that none of these persons should be considered for absorption, as it was the Corporation's own regulations which state that only once in life time that a person should be allowed to work for 85 days in any of these capacities. This would go against the terms of the reference and has therefore, to be straightway rejected.

52. On behalf of the Corporation, it was pressed on the 3rd April at Calcutta that work for 85 days in a year should be the qualifying condition for absorption to class-III posts and 45 days in a year should be the condition for eligibility to Class-IV posts. In other words, it was urged that 85 days in a year of 12 months for Class-III employees and 85 days in each year for two years for Class-IV employees as suggested in the proposals should be a minimum qualifying condition for consideration for absorption.

53. For the unions, different days were suggested. For the Western Zone Insurance Employees Association, Mr. Deo suggested 40 days, for Central Zone National Life Insurance Employees Association, Mr. Shukla suggested 85 days for Class-III employees in 12 months and for Class-IV employees 30 days in a period of 12 months. Mr. Krishna for the All India National Life Insurance Employees Federation suggested for Class-III employees 30 days and for Class-IV employees 85 days in a period of 12 months should be the cut-off number of days. Other unions did not say anything in this respect on that day. On the earlier day, Mr. Sukumar Mukherjee for the Akhil Bharatiya Jeevan Bima Nigam Chaturtha Sreni Karamchari Sangha said that those who have worked for at least 40 days in a period of two years and not necessarily calendar year should be considered as eligible. Mr. Bhattacharji for the All India Life Insurance Employees Association supported that contention while, Mr. Kathuria stated that it should be 85 days in two calendar years.

54. Having given my anxious thought to this substantial circumstantial and situational aspect of the matter as well as the circulars and instructions of the Corporation and the pattern of employment and the manner in which persons have been working with the Corporation in various capacities, it does appear that those who have worked only for very short period with the Corporation in any of the aforesaid capacities do not deserve any consideration for being finally absorbed. On the other hand, on account of the instructions issued by the Corporation refusing employment to a person beyond 85 days, it has led to subterfuges and employment of ways of circumvention. Despite this, it is the contention that workmen have continued to work with the Corporation in different capacities and even as contractors' workmen and in various categories, such as temporary, badli and part-time. Such people have over the years which are relevant been working with the Corporation and are entitled to consideration for their past services. Just as the Corporation's insistence of 170 days for Class-IV employees and 85 days for Class-III as the minimum qualifying days for being considered for absorption is not pragmatic and workable, amounting to a total denial of opportunity of absorption to these workmen, understandably, the unions have sought to lower down the qualifying number of days as such as possible. All the same, there does appear to be a large measure of agreement even amongst the workmen that there should be a qualifying period of service with the Corporation for being considered for absorption. Having considered all aspects of three calendar years, they should be considered as eligible having worked for a total period of 70 days during a period of three calendar years, they should be considered as eligible for being absorbed. Those who have worked for less than 70 days in any capacity and as any kind of work-

men, i.e. temporary, part-time or badli, should not be eligible for consideration for absorption. With regard to Class-III employees, I am of the view that qualifying days should be 85 days in a period of two years. In other words, for the Class-III employees, if a person has worked for less than 85 days in a period of two calendar years, he would not be eligible for being absorbed namely in the Corporation's service, after passing the suitability consideration of the Screening Committee. So far as Class-IV employees are concerned, qualifying period would be 70 days in a period of three years.

55. As regards guidelines to the screening committee, it is not possible to lay down when a person can be considered as suitable or desirable. Senior officers with experience are to form the committee and can be trusted to apply the relevant considerations and tests. It should however be understood that the test is not for keeping people out, but to eliminate such who would in future pose problems in administration. It is obvious that in their cases the corporation's normal qualifications for eligibility are inapplicable.

56. If the screening committee considers a workman to be undesirable or unsuitable, his name should be removed from the pool. He would not thereafter be entitled to any consideration for employment with the Corporation. The Screening Committee should publish and prepare a list according to seniority of concerned workmen, who in its opinion in that zone divisionwise are suitable and desirable for employment with the Corporation. Such workmen, according to their seniority should be absorbed against vacancies which existed with the Corporation as on 31-3-1985 and which may arise subsequently, until the list of accepted suitable candidates from the pools is exhausted. Till such time the lists are exhausted, the Corporation should not recruit outsiders in that particular division. Lists would be divisionwise only though they may be prepared for the zone, as pointed out earlier, merely because there are more number of vacancies in one division than in the other, workmen who worked in a particular division or where they have worked will not be entitled to be considered against the vacancies which may be available in the other division.

57. It is not possible, nor will it be appropriate or proper to determine or direct the Corporation to create any vacancies or posts for such employees. The object in directing the Corporation to furnish statistics with regard to the number of hours which these employees have worked was with a view to find out whether the cadre strength of such workmen fixed by the Corporation, with or without leave reserve is adequate or otherwise. Apparently, the present sanctioned strength of the Corporation, which must be inclusive of leave reserve is not enough. It is tentatively stated that considering the man hours these concerned workmen have worked, it may be that creation of about 400 additional posts would take care of this work. On the other hand, it was contended for the workmen that the statistics given by the Corporation are not complete. They are partial and only relate to some offices and some categories of staff. The actual vacancies according to them, if all the work which has been put in by these employees were to be considered would be more. As to the actual number of posts which may be necessary in the light of the experience acquired by the Corporation over a number of years is a matter which will have to be left to the Corporation. If the employees think that the number of posts created by the Corporation is not adequate keeping in view the work which is required to be discharged and where it is considered or contended by them that additional work is extracted from the existing workmen imposing upon them greater burden, that would be a matter for a separate consideration and dispute which the workmen may raise. The question as to what is the adequate number of staff for the work which the Corporation has consistent with its business requirements, efficiency and financial constraints, would not be possible or permissible for a Tribunal to prescribe. Unless all the necessary material and information is available, it would not really be possible for any one to make a guess in that behalf. It would not therefore be possible to say that the workmen as a class are equipped and have the material or the overall view of the requirements of the Corporation of the number of posts required to be manned and filled. Consistent however, with the circumstance of a large number of temporary, badli and part-time employees,

being employed by the Corporation notwithstanding its one-time decision not to engage any more in the year 1978, it is reasonable and necessary for the Corporation to review its cadre strength. I would, therefore direct the Corporation to undertake an exercise in the light of the factors pointed out and indicated above by me and decide and determine what would be the number of additional vacancies and posts which the Corporation should create with a view to obviate and stop for all time hereafter the employment of badli workmen and temporary workmen, if possible.

58. It was stated before me that part-time employees can not altogether be done away with considering the nature of work and its non-availability for a full day. This institution therefore may have to be suffered for some time. If possible, the Corporation should consider and devise ways and means of converting part-time workmen into full-timers by providing employment to them on full-time basis. It was also stated that completely doing away with the temporary employment may not be possible for the Corporation, as it has occasional temporary increase in the work. In the circumstances, temporary employment may have also to be continued. However, such temporary employment should not be for a period less than one month and should be from amongst the left over employees from the temporary pool and lists of selected workmen by the screening committee.

59. After the screening committee has prepared lists of such suitable candidates and the Corporation has determined and fixed the number of posts and vacancies which it has for purposes of being filled, if there is any excess of suitable candidates selected by the screening committee and included in the list, then they should be continued to be maintained in the pool for being employed for temporary purposes of the Corporation at a later stage. However such a list should be confined, as far as possible to the minimum so that such unfortunate employees know clearly what are the prospects of their future absorption and should look after pastures elsewhere and not continue to hang on a remote possibility or future doubtful prospect of being absorbed in the Corporation's service.

60. In the above paragraphs, process for absorption of the concerned workmen has been set out. However, it is also necessary that this process should be completed within a specified period from the coming into force of this award. Otherwise, the process may get itself entangled and result in interminable delays. Having considered and heard the parties in this behalf, I am of the view and opinion that the earlier stages of the process should be completed and got over as quickly as possible. Since most of the unions have filed affidavits of a large number of workmen and concerned unions have also filed lists of workmen who have worked in different capacities for different periods in various regions, it would not be difficult for the workmen concerned with the help of their union to file their applications or notes with the Corporation at its divisional office concerned. The unions may also file consolidated list of applications on behalf of the workmen in each division. Applications must be given against acknowledgement with the divisional office and no contention or statement entertained that an application has been given, though not supported by an acknowledgement this must be done within a period of one month from the date of publication of the award. The divisional office then should formally prepare a list as directed above within a period of six weeks from the date of publication of this award and submit it to the zonal office concerned. The zonal office concerned should then consolidate such lists for all the divisional offices within a period of two weeks, i.e., within a period of two months and one week from the publication of this award. It is possible that the work of the screening committee for purposes of determining in the suitability of the concerned workmen may take a little longer time. Even then, I think they should be able to complete this work within a period of two months from the date it is commenced, which commencement should not be beyond three months from the date of publication of this award. In other words, entire process of selecting and finalising names of workmen for absorption against the existing and additional vacancies which the Corporation may create or declare within this period should be over within a period of four or five

months and selected workmen should be absorbed within a period of another one month, i.e. in all within six months from the coming into force of this award.

61. Coming now to the matter of wages and other conditions of service, which is the other part of the award that does not present much of a difficulty. Dealing firstly with the wages and other conditions of part-time workmen, it was contended and urged that as in the case of other like industries like banks, part time workmen should get all the benefits which they get in such other similar concerns. The bipartite settlement entered into in the case of Reserve Bank and other nationalised banks goes to show that part-time employees are extended the benefits of provident fund, gratuity and benefits like leave, medical aid, etc. I have in my discussion earlier classified part-time employees into two groups, i.e. regular part-time employees and substitute part-time employees. While it is appropriate and natural that part-time employees who work regularly with the Corporation should enjoy similar benefits as are available in similar other industries, namely, provident fund, gratuity, leave and medical aid same can not be extended and I do not think, should be logically available for substitute part-time employees, excepting general directions which may be given hereunder. Such substitute part-time employees, therefore, would not be entitled to any other benefit other than the one which is indicated below. Wages which should be paid to these part-time workmen should be determined per hour. The minimum period of employment of part-time workmen per day should not however, be less than 2 hours on any day, and every period less than half an hour being rounded off to half hour and every period over half an hour rounded off to one hour. The rate of wage per day for such part-time workmen should be calculated in accordance with the following ratio—1/30th of the normal wage which is paid to a regular employee doing the same kind of work with the corporation together with an additional 25 per cent thereof.

62. Temporary employees should be given the same wages which a person in regular employment in that capacity with the Corporation is drawing. I have already indicated that no temporary employment should be given for a period less than one month. However, in the cases where temporary employment has been for a period of less than one month, wages should be calculated on the basis of the number of days for which he has worked. Payment should be made to him in accordance with 1/26th of the minimum wages in that scale paid to a regular employee of the corporation in such a case.

63. Badli workmen should be paid the same wage as is paid to a workman doing the same kind of work in the regular employment of the Corporation for the period of actual work calculated on the basis of 1/26th of total pay of the regular employee at the minimum of the scale of a comparable post.

64. So far as other conditions of service with regard to temporary and badli workmen are concerned, temporary workmen would be entitled to casual leave. They should be also entitled to earned leave calculated in accordance with the number of months actually worked by them during the entire year in the same manner as is calculated for regular employees. If the temporary employment continues for a longer period, than one year, then such leave should be carried forward and accumulated upto a maximum period of 3 years. Such temporary employees however, would be entitled to avail of the earned leave only after the first year of his total employment, and on the occasion of his second employment.

65. In the light of the directions above, with regard to absorption and creation of additional posts by the Corporation, I do not think that there would be any occasion in future for the Corporation to employ workmen in the temporary and badli categories, excepting for the occasional and temporary increase in work which necessitate employment of temporary staff. That temporary staff in all probability would be only amongst class-III cadres, in which case there would be no occasion and there need not be, I think, any case or situation requiring consideration or grant of any other benefit apart from the wage to such workmen.

66. I hope and expect that in the light of what has been said and the past experience of the Corporation, the situation where a large number of such employees come to be engaged without adherence to any formalities or procedures by the various local managements would be completely eliminated and done away with and this kind of employment in the Corporation's history would be the last occasion. Excepting the temporary employment, the Corporation will have no occasion or necessity to employ badli workmen it is hoped in future. Though part-time employees will continue to be in existence for some more time, as I have indicated, the Corporation will also see its own way to absorb the part-time employees in its regular employment as far as possible and reduce the number of part-time employees to the minimum. However, whenever, hereafter any occasion or vacancy arises of regular employment in part-time categories of employment, then those who have worked part-time in accordance with their seniority should be given preference for absorption in the regular cadre of the Corporation's employment. This should be irrespective of the qualifying age for the entry into Corporation's service and qualification, but subject to his being found suitable.

67. I have already indicated that retrospective effect in the circumstances and in the case of this award has to be given from 1-1-1982. The procedure for absorption would also at the same time and simultaneously place in the hands of the Corporation a record of the service which the concerned workmen have rendered during this period. On that basis and in the light of the directions above, and as indicated, the workmen should be paid wages to which they would have been entitled to, reduced by the wages which have been actually paid to them. They would not however, be entitled to payment of ex-gratia bonus for that period.

68. Before parting with the award, I may mention that both the representatives for the workmen as well as the Corporation on the 9th April, 1986, invited the Tribunal make an award on the basis of the pleadings and the documentary and oral evidence adduced till then and in the light of the directions of the court and suggestions which were given. I may mention that the suggestions for expeditious resolution of this dispute and making of the award were in an appropriate spirit, accepted by all the parties and there was a large measure of consensus in them with regard to what was suggested and discussed. But for their cooperation and reasonable approach merging their differences with the Corporation as well as between themselves, accentuated by a general desire to obtain speedy solution to the dispute, it would not have been possible to make this award so early, as in its initial stages, it threatened to be a longwinded affair. I must thank all the parties for their cooperation and help and fair and frank assistance as well as discussion and approach to the various questions which arose during the hearing and discussion of the matters involved.

69. Award accordingly.

R.D. TULIPULE, Presiding Officer
[No L-170112]83-D. IV(A)
K. J. DYVA PRASAD, Desk Officer

का. ग्रा. 2226—भौद्योगिक शिवाय अधिनियम, 1947 (1947 का 14) की धारा 17 के धनराण में, केन्द्रीय सरकार गोविंदपुर खेत मं. 3, मैसर्स भारत कोकिंग कोल लिमिटेड, घनशाव के प्रबंधनतंत्र में सम्बद्ध नियोजकों द्वारा उनके कर्मकारों के दीच धनराण में निश्चित भौद्योगिक शिवाय में केन्द्रीय सरकार भौद्योगिक अधिकारा, सं. 2, धनशाव के पंक्ति को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-1986 को प्राप्त हुआ था।

S.O. 2226.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2,

Dhanbad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Govindpur Area No. III, M/s. Bharat Coking Coal Ltd., Dhanbad and their workmen, which was received by the Central Government on the 13th May, 1986.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD.

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 29 of 1985

PARTIES :

Employers in relation to the management of Govindpur Area No. III of M/s. B.C.C. Ltd. Dhanbad.

AND

Their Workmen.

PRESENT :

Shri I. N. Sinha,
Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri S. Bose, Secretary,
Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 7th May, 1986

AWARD

By Order No. L-24012(32)84-D.IV(B) dated, the 21st March, 1986, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Govindpur Area No. III, M/S. B.C.C.L., Dhanbad in not regularising Shri Md. Ali as Explosive Carrier is justified ? If not, to what relief is the concerned workmen entitled?”

2. The case of the workmen is that the concerned workman Md. Ali is a permanent employee under the management of Kooridih Colliery of M/S. B.C.C. Ltd. and he was designated as a miner. Since January 1975 the management put the concerned workman on the job of Explosive Carrier in a permanent vacancy and he is continuing as Explosive Carrier since then. According to rules and practice of the management the concerned workman should be regularised in the post of Explosive Carrier but the management has not regularised him in the post of Explosive Carrier. If the concerned workman is not regularised as Explosive Carrier the management may at their own sweet will direct the concerned workman to go back in his old designation of miner/loader thereby adversely affecting his service. It is prayed that the management may be directed to regularise

the concerned workman in the post of Explosive Carrier with due pay protection which is being paid to him ever since he has been engaged as Explosive Carrier.

3. The case of the management is that the concerned workman holds substantive post of miner/loader as a piece-rated worker in Group VA. As miner/loader they are required to perform hard manual and arduous job in comparison to any other worker belonging to piece rated groups or time rated categories. The miners/loaders under certain circumstances request the management to give them some light jobs so that they can take over their physical difficulties. There is no bar to permit a worker of higher group or category to perform the jobs of lower group or category, and, as such, the management offer cannot claim for regularisation on such light job on a permanent basis. The management has no right to regularise a workman from higher group or category to lower group or category by way of demotion unless any workman prays for the same. The concerned workman who was miner/loader in Group VA worked as Explosive Carrier from January, 1979 which is a light job. Explosive Carriers are placed in Category II. The management directed the concerned workman to work as miner/loader to his substantive job and thereafter the concerned workman has claim for his regularisation by way of demotion to the post of Explosive Carrier in Category II. In case of demotion the management may demote a workman if he applies for his demotion for some reason. The concerned workman did not formerly apply for his demotion from the post of piece-rated miner/loader to the lower post of Explosive Carrier in Category II. The management will consider his case to permanently absorb him on the job of Explosive Carrier when he applies for the same. The concerned workman should give his consent for his demotion and thereafter his case for regularisation will be considered.

4. The only question to be determined in this case is whether the concerned workman can be regularised as Explosive Carrier in Category II.

5. The management examined MW-1 J. P. Singh, Manager (Opn), Kooridih Colliery. The management also produced two documents which have been marked Exts. M-1 and M-2. The workmen neither examined any witness nor produced any document.

6. It is the admitted case of the parties that the concerned workman who was formerly working as a miner/loader in Kooridih Colliery in Group VA was engaged to work as Explosive Carrier in Category II from January, 1979. MW-1 has stated that many workers working on piece rated jobs were allotted time rated jobs and on their request they were regularised in the time rated jobs when they had given consent for the same. The management had issued notices Exts. M-1 dated 27-12-83 and M-2 dated 3-2-84. It appears from the said notices that the concerned workman along with many others were asked to submit their consent for being regularised in the consent form. But it appears that the concerned workman did not submit his consent form and therefore his case was not considered for his regularisation as Explosive Carrier in Category II. WM-1 has stated that all those persons of the list in Ext.

M-1 who gave their consent for regularisation have been regularised. He further stated that subsequently another notice Ext. M-2 dated 3-2-84 was given under his signature in respect of 33 persons out of 60 persons of Ext. M-1 who had not given their consent. He has stated that all those persons named in Ext. M-2 who give their consent were regularised but the concerned workman did not give his consent and then he was asked to work as miner/loader and thereafter the present dispute was raised. He has stated that the management have no objection in regularising the concerned workman as Explosive Carrier in Category II with the wages of Category II which is their regular procedure in such case. In his cross-examination he has stated that most of the piece rated workmen who were given time-rated jobs have by now been regularised in time rated job after obtaining their consent. He has further stated that under the Standing Orders of the company if a worker completes two years, he is deemed to have been regularised on giving his consent. In the end he has stated that the management have no objection in regularising the concerned workman as Explosive Carrier provided he gives consent for the said. It is thus clear that the management do not now object to regularise the concerned workman as Explosive Carrier in Category II and they only want that the concerned workman should give his consent for regularising him in Category II. Sri S. Bose representing the workmen submitted before me that it may be presumed that the concerned workman has given his consent as the concerned workman himself is demanding regularisation in Category II. It is stated on behalf of the management that there is a consent form with certain particulars to be filled in and that the same is to be filled in by the concerned workman so that the concerned workman may be regularised in Category II. The objection of the management is of a technical and insignificant nature. However, it is submitted on behalf of the workmen that the consent form will be filled in so that there may not be any technical objection on behalf of the management. Accordingly I hold that the concerned workman is entitled to be regularised in Category II with the wage of Cat. II which he is already getting. On the consent form duly filed by the concerned workman, the management is directed to regularise the concerned workman as Explosive Carrier in Category II from 26-12-83, the date on which some other piece rated workmen were regularised in the time rated jobs.

7. In the result I hold that the action of the management of Govindpur Area No. III of M/S Bharat Coking Coal Ltd. in not regularising Md. Ali as Explosive Carrier in Category II is not justified. The concerned workman is to be regularised in Category II from 26-12-83 on his filing the duly filled in consent form at the earliest. Award is made accordingly.

Dated 7-5-1986.

I. N. SINHA, Presiding Officer
[No. L-24012(32)/84-D.IV (B)]

फा. आ। 2227.—ओडिशा विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रान्तमरण में, केन्द्रीय नरकार व सिरका कोलियरी मैटर्स मेट्रेल कोवफील्ड्स लिमिटेड, शक श्रगाराम, जिला हजारीबाग के प्रबंधन द्वारा सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध

में निविल आधारिक विवाद में केन्द्रीय सरकार आधारिक प्रधिकरण, सं. 2, धनबाद के पचाट का प्रकाशित करता है, जो केन्द्रीय सरकार को 13-5-86 को प्राप्त हुआ था।

SO. 2227.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sirk Colliery of M/s. Central Coalfields Ltd., P.O. Argada, Distt. Hazaribagh and their workmen, which was received by the Central Government on the 13th May, 1986.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 130 of 1985

PARTIES :

Employers in relation to the management of Sirk Colliery of M/s. C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri I. N. Sinha, Presiding Officer.

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : Shri S. N. Singh, Secretary, R.C.M.S., Argada Sirk Branch

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, the 6th May, 1986

AWARD

By Order No. L-24012(25)85-D.IV(B) dated, the 22nd August, 1985, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether action of the Management of Sirk Colliery of C.C. Ltd., P.O. Argada, Distt. Hazaribagh in denying promotion to Sh. Omkar Singh, Mechanical Fitter Gr. IV and also denying him the higher category as well as placing him in lower Cat. II with effect from 1-1-83 is legal and justified. If not, to what relief is the workman concerned entitled?"

2. After receiving notices both the parties appeared but did not file their written statements. However, a petition was filed on behalf of the workmen by the Secretary, R.C.M.S. on 30-4-1986 stating that the workmen have mutually and amicably settled the dispute with the management and that the management has also implemented agreement reached between them and that there is no longer any dispute between them. It was prayed that in view of the above a 'no dispute' award be passed in this case. The Secretary of R.C.M.S., Argada Sirk Branch also examined himself and stated that the workmen have amicably settled the dispute with the management and the settlement arrived at between the parties have been implemented and that there is now no dispute between the parties. It appears, therefore, that the parties have settled the dispute between themselves and as the settlement arrived between them has been implemented, now there is no grievance of the workmen. Accordingly as prayed by the workmen a 'no dispute' award is passed.

Dated : 6-5-86

I. N. SINHA, Presiding Officer.
[No. L-24012(25)85-D. IV(B)]
A.V.S. SARMA, Desk Officer